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218. d. 66.

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~1654.~

ABSTRACT OF CHARTERS AND FAMILY PAPERS.

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1. Charter by William of Hauccestertun, Richard of Hauccestertun, his brother, John the son of Alan of Mundegumeri, Vincent the son of Robert Auenel, and Nicholas the son of Roland, to God and the church of St. Mary of Melrose, and the monks serving God there, for the health of the souls of the granters, and for the souls of their ancestors and successors, the soul of Walter the son of Alan, their lord, and the souls of all faithful dead, of land in the territory of Inuerwick, surrounded by a ditch, to be held in perpetual alms; and the common pasture of the town of Innerwick, from the highway to the head of Manineth, to be held in feu-farm, for payment of ten shillings yearly at Whitsunday. [Circa 1170]. (*Orig. Melrose Charters*) 1

2. Charter by Marjory of Mundegumry, cousin and heiress of Christian of Mundgumry, in her pure and lawful widowhood, to John Kenedy, his heirs and assignees, of all her land in, and her right to, the knight's fee of Castlys, in the earldom of Carric and shire of Are: To be held of the lords superiors of the same for services used and wont. Sealed with her own seal, the common seals of the monastery of Crosseragwell, and of the burgh of Are, and the seals of Thomas Flemyng, Earl of Wygtoun, and Sir Duncan Wallays, Knight, then sheriff of Ayr. [Before 27th August 1362]. (*Orig. Aisla Charter Chest*) 2

3. Charter by King David II., confirming charters by Marjory of Mungumbry, the elder, and Marjory of Mungumbry, daughter of John of Mungumbry, and cousin of the former, to John Kenedy, of the lands of Castlys. Dated at Edinburgh, 27th August, anno regni regis 34 [1362]. (*Orig. Aisla Charter Chest*) 3

4. Charter by Robert, Steward of Scotland, Earl of Stratherne, to Sir Hugh of Eglintoun, Knight, and Lady Egidia, his spouse, the Steward's sister, of an annualrent of a stone of

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wax due to the granter from the land of Monfodevrry, within the barony of Conyngham and shire of Are; with power to compel payment thereof in each year. [1358–1370]..... 3

5. Charter by Thomas Stewart, Earl of Angouss, to Sir Hugh of Eglyntoun, Knight, of his land of Ormdale, in the lordship of Cowalle and shire of Argyll: To be held by Sir Hugh and his heirs, and his assignees acceptable to the granter and his heirs, for giving to the chief lord of the feu the service used and wont, and a pair of gilt spurs, or forty silver pennies, to the granter and his heirs, in recognition of the gift, at the feast of the Nativity of St. John the Baptist (25th June) yearly, if asked. Dated at Edynburgh, 25th May 1360..... 3

6. Charter by John of Moray, Lord of Hormishocis, to Sir Hugh of Eglynstoun, and Lady Egidia of Lyndesay, of the land of Hormishocis, together with all the service of Dollywra, Potertovn, and Wagrav, due and wont to be rendered to the said lordship: To be held of the chief lord for the service used and wont. Given under the seal of the granter, and the seal of Robert, Steward of Scotland and Earl of Stratherne, his lord, at Ardrossan, the sixteenth day before the Feast of the Purification of the Virgin Mary, (January) 1361, 4

7. Charter by Robert, Steward of Scotland, Earl of Stratherne and Lord of Conynghame, to Alexander of Blare, his heirs or assignees, of the annualrent of four chalders of oatmeal and one pound of pepper, which Alan le Suche and William of Ferrars, Knights, were accustomed to receive from the lands of Stane and Buretres in Conynghame, then belonging to Andrew Fraunceys: To be held of the Steward and his heirs for giving a pair of gilt spurs, or twelve silver pennies, at Whitsunday yearly, if asked. Dated at the monastery of Inchaffray, 10th December 1363 5

8. Decree of Transumpt in form of Instrument, made within the church of St. Giles of Edinburgh, on 28th September 1482, before Richard Roberts, Rector of Suthek and Commissary of the official of Lothian, at the instance of Hugh Lord Mowngumry, of eight deeds relating to the offices of Bailie of Cunynghame and Chamberlain of Irwine; namely— 5

(1.) Grant by Robert, Steward of Scotland, Earl of Stratherne, to Sir Hugh of Eglintoune, of the office of Bailie of the barony of Cunyngham, with the command of all the men dwelling therein. Sealed with the seals of the Steward and of John Stewart, Lord of Kyll, his eldest son, at Erth, 15th January 1366 6

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(2.) Grant by Robert, Steward of Scotland, to his beloved brother, Sir Hugh of Eglintoun, Knight, of the third part of the fines and issues of the courts of the Bailie and Chamberlain of Cunyngham, for Sir Hugh's labours in the said offices, which had been given him by the Steward. Sealed with the seals of the Steward and his eldest son, at Erth, 15th January 1366 6

(3.) Grant by Robert, Steward of Scotland, to his beloved brother, Sir Hugh of Eglintoun, Lord of that Ilk, and his heirs, of the third part of all the issues and fines of the courts of the Bailie of Cunyngham and of the Chamberlain of Irwyn; which offices had been given to Sir Hugh and his heirs by the Steward, and had no fee attached to them. Sealed with the seals of the Steward, and of John Stewart, Earl of Carrik, Lord of Kyle and Athole, his eldest son, in token of his consent..... 7

(4.) Letter by Robert, Steward of Scotland, authorizing Sir Hugh of Eglintoun, Knight, or any of his heirs, to reënter to the office of Bailie of Cunyngham, notwithstanding another then ministered in the office through Sir Hugh's sufferance and consent. Dated at Renfrew, 30th May 1370 7

(5.) Grant by Robert, Steward of Scotland, to his beloved brother, Sir Hugh of Eglintoun, Knight, Lord of that Ilk, and his heirs, of the offices of Bailie of the barony of Cunyngham, and Chamberlain of the burgh of Irwyn, with power to hold courts, punish transgressors, levy fines, and appoint substitutes, etc. 7

(6.)[1] Grant by King James II., as Steward of Scotland, to Alexander of Montgomery, eldest son of Alexander Lord Montgomery, of the office of Bailie of the barony of Cunynghame, which had no fee attached to it, and which had been resigned in the hands of the King, as Steward, by the said Alexander: To be held of the King as Steward of Scotland, for service used and wont. Given under the privy seal at Striueling, 31st January 1448 8

(7.) Indenture between Sir John of Mungumry, Lord of Ardrossane, and Sir Robert of Conyngham, Lord of Kylmawrys; whereby the latter is bound to marry Anna of Mungumry, Sir John's daughter, and to infeft her in twenty merks' worth of his Mudir landis. Sir John is bound to give Sir Robert for the marriage, three hundred merks and forty pounds, to be paid by yearly sums of forty pounds from the lands of Estwode and Loychlebokside. Sir Robert is to possess the bailiary of Coningham during his life (after his marriage to Anny); Sir John and his heirs having reëntry thereto after his death. If Sir John shall not become a hostage for the King, he

[1] The originals of Nos. (6.) (7.) and (8.) are still preserved at Eglintoun, and the transumpt has been collated with them.

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shall maintain Anny his daughter, 'and a damysall with hir, and Schir Robertis 'resonabyl repayr, for twa zer, in met, and drynk, and buch of court, with sex horssis 'fyndyng at the liking of the said Schir Robert; and gife he gais in hostage, the 'said Schir Robert sal se for his wyfe hymself.' Dated at Irwyne, 16th June 1425, 8

(8.) Discharge by the said Robert of Conygham to Alexsander Mungumry, Lord of Ardrossan, for the three hundred merks and forty pounds, due to him for the marriage of the said Anna (therein called 'Angnes') of Mungumry, Alexander's sister, in virtue of the above contract. Dated at Fynlawston, 20th February 1432 9

9. Charter by King Robert II. to Hugh of Eglyntoun, Knight, his heirs and his assignees, of the land of Gyffeyn, in the barony of Kyle Stewart and shire of Are, then belonging to the King through forfeiture: To be held of the King and his heirs, Stewards of Scotland, for services used and wont. Dated at Edynburgh, 4th May, anno regni regis primo [1371], 10

10. Charter by King Robert II. to Hugh of Eglyntoun, Knight, and his heirs, of the land of Allirtoun, in the barony of Kilbryd and shire of Lanark, then belonging to the King through forfeiture: To be held of the King and his heirs, and the other chief lords of the fee, if any were, for service used and wont. Dated at Edynburgh, 5th May, anno regni regis primo [1371]. (*Reg. Mag. Sig.* pp. 84, 290) 11

11. Charter by King Robert II. to Hugh of Eglyntoun, Knight, of the lands of Bodyngtoun, and an annualrent of four merks and eight shillings from the lands of Westhall, in the barony of Rathew and shire of Edynburgh, which Robert of Erskyne, Knight, had resigned: To be held of the King and his heirs, Stewards of Scotland, for service used and wont. Dated at Edynburgh, 6th May, anno regni regis primo [1371]. (*Reg. Mag. Sig.* pp. 84, 291) 11

12. Confirmation by King Robert II. of a grant by Hugh of Eglyntoun, Knight, to Alan of Lawedre, of the land of Norton, in the barony of Rothew and shire of Edynburgh. Dated at St. Andrews, 13th June, anno regni regis 1mo [1371]. (*Reg. Mag. Sig. lib.* i. 279), 11

13. Charter by King Robert II. to his beloved brother, Hugh of Eglyntoun, Knight, of the lands of Bonyngtoun, and half of the land of Nortoun; with the superiority (dominio) of the lands of Westhall and Cotraw, and an annualrent of four merks and eight shillings sterling therefrom; in all which the said Hugh had been infeft when the King was

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Steward of Scotland: To be held by Hugh, and Egidia of Lyndissay, his spouse, the King's dearest sister, and their heirs, of the King and his heirs, Stewards of Scotland, for services used and wont. Dated at Perth, 28th June, anno regni regis 2do [1372]. (*Reg. Mag. Sig. lib.* i. 321) 11

14. Grant by King Robert II. to his beloved brother, Hugh of Eglyntoun, Knight, of all the lands, rents, and offices which belonged to the deceased Michael of Lardener (father of the deceased Robert and Michael of Lardener), then escheated to the King through Michael, the father, having died at the faith and peace of the King of England: To be held of the King and the other chief lords of the fee, for services used and wont. Dated at Are, 11th November, A. R. R. 3tio [1373]. (*Reg. Mag. Sig. lib.* ii. 41) 12

15. Charter by King Robert II. to his dearest brother, Hugh of Eglyntoun, Knight, of the lands of Lochlebogsyd, within the barony of Raynfrev: To be held by Hugh, and Egidia his spouse, the King's dearest sister, and their heirs, of the King and his heirs, Stewards of Scotland, for giving yearly ten merks sterling for the support of a chaplain to celebrate divine service in the Cathedral Church of Glasgow. Dated at Perth, 12th October, anno regni regis 4to [1374]..... 12

16. Confirmation by King Robert II. of a wadset by Hugh of Avldistoun, to the King's dearest brother, Hugh of Eglyntoun, Knight, of the lands of Cambusbaroun, Innerhawlovne, and Schiphalch, within the shire of Struelyne; saving the King's service. Dated at Dunfermelyne, 28th March, A. R. R. 5to [1375] 13

17. Confirmation by King Robert II. of an Indenture between Sir Hugh of Eglyntoun, Knight, and Hugh of Avldistoun, whereby the latter is bound to pay to the former £80 sterling, and therefore wadsets to him the lands of Cambusbaroun, Inraloun, and Schephalch, in the shire of Striuelyne, until Sir Hugh should be paid, in Glasgv, on the feast of St. Peter *ad vincula* (1st August), sixteen sacks and sixteen stones of good wool: And if the said Hugh should question that wadset, he should pay forty shillings sterling to the work of the church of Glasgow, in name of penalty; and £40 to Sir Hugh, in name of damages and expenses, besides performance: Given under the seals of Sir Hugh, and Sir James of Lyndesay, Knight, in place of the seal of Hugh of Auldistoun, interchangeably, at Ardrossan, 21st March 1374. Confirmation dated at Perth, 10th April, A. R. R. 5to [1375]. (*Reg. Mag. Sig. lib.* vi. 29) 13

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18. Grant by King Robert II. to his dearest brother, Hugh of Eglyntoun, Knight, of the wards, reliefs, and marriages, arising to the King, on the south side of the water of Forth, until Hugh should receive 550 merks, the residue of 700 merks, formerly due to him by the King; and if these casualties should amount to less than 100 merks yearly, the Chamberlain of Scotland should make up the deficiency. Dated at Perth, 17th March, A. R. R. 6to [1375] 15

19. Charter by King Robert II. to his beloved brother, Hugh of Eglyntoun, Knight, of annualrents of fifty shillings, eight shillings and fourpence, thirty-three shillings and fourpence, and forty shillings, from the lands of Drumdow, Stayre, Cars, and Monyhagane, respectively, all in the shire of Are, which had been resigned by Robert of Bruys, the King's cousin; with power to mortify the annualrents. Dated at Perth, 26th June, A. R. R. 6to [1376]. (*Reg. Mag. Sig. lib.* v. 29) 15

20. Charter of Confirmation by King Robert II. of the grant by Marjory, daughter of the late John Mungumry, made to Malcolm, son of Henry Fergus of Carryk, of the lands of Staire and Kylmore, in the earldom of Carryke, and shire of Are; saving the King's service. Dated at Ardstanchell, 15th November, A. R. R. 11mo [1381]. (*Orig. Stair Charter Chest*) 16

21. Transumpt of the above Confirmation, made on Friday, 12th February 1412, in the house of Richard Sissoris, at Lamruchtoun, by John of Howburn, notary public. (*Orig. Stair Charter Chest*) 16

22. Obligation by James the Lyndesay, Lord of Bochane, to John of Montgumry, Lord of Egillhame, not to recognosce the lands of Dunbulge nor Carny, which John held of him, until he, his heirs or assignees, should pay to John, his heirs or assignees, £900 of English gold in the Castle of Edinburgh; and that he would also maintain John in the possession of the said lands. Dated at Edinburgh, 9th December 1389..... 17

23. Charter by John of Montegomorri, Lord of Eglishame, to William of Blakeforde, of the lands called Litil Benane, which he had resigned in the granter's hands, in his court of Eglishame: To be held by William and the heirs of his body, whom failing, by John Walays of Elrisley, and his heirs, of the granter and his heirs, for giving common suit at his courts of Eglishame. Dated at Eglishame, 8th October 1392..... 17

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24. Confirmation by King Robert III. of a charter by Malcolm Flemyng, Knight, Lord of Biger and Leigne, to his grandson (nepoti) William of Boyde, Lord of Galvane, of the lands of Badynhache, in the barony of Leigne, and shire of Donbretane: To be held by William and his heirs, of Malcolm and his heirs, for payment of one silver penny at Whitsunday, upon the ground, if asked only, in name of blench farm, for ward, relief, marriage, suits of court, and all other secular service, etc. The Confirmation is dated at the Castle of Rothesay, 7th July, A. R. R. 5to [1395] 18

25. Instrument of Transumpt, made on 17th March 1574, at the instance of James Lokkert of Ley, of a charter by John Montgomery, Knight, Lord of Ardrossan, to his beloved cousin, Alexander Lokkart, of the Lands of Lochwod, within the barony of Ardrossan and shire of Air: To be held by Alexander and his heirs from the granter and his heirs, for giving a pound of pepper at the feast of St. John the Baptist (25th June), in name of blench farm, if asked. Dated at Polnone, 1st December 1407 19

26. Precept directed by John of Montegomeri, Lord of Ardrossane and of Giffyne, Knight, to John Homyl, his bailie of Giffyne, for infefting Stephen Ker, Lord of Trearne, in the lands of Ouirtoun of Giffyne, within the lordship thereof, and shire of Are; which Sir John had granted to Stephen on his own resignation Dated at Polnone, 24th November 1413, 21

27. Charter by Robert Duke of Albany, Earl of Fyfe and of Mentethe, Governor of Scotland, confirming the grants by John of Montegomeri of Ardrossane, Knight, to his son Robert of Montegomeri, begotten between him and the deceased Agnes of the Isles, his spouse, with consent of Alexander of Montegomeri, his son and heir, brother-german of Robert, of the lordship of Giffine, lying in the barony of Kyle Stewart and shire of Are; the lands of Lochhous, in the constabulary of Linlithcu and shire of Edinburgh; the lands of Knok-intire and of Knokmulyne, in Kile Regis and shire of Are; and of an annualrent of fifty shillings Scots from the lands of Drumdow; with all his tofts, crofts, and particates of land within the burgh of Linlithcu, and all his annualrents due therefrom: To be held by Robert, and the heirs male of his body, whom failing, by his said father and his nearest heirs, of the said John and his heirs; saving the King's service. Dated at Striueling, 9th March 1413 21

28. Retour of the service made at Kilbrid, before Sir John of Montegomery, bailie thereof, of Harbert of Maxwell, son of the deceased Harbert of Maxwell, Lord of Carlauerokis, as

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heir of his father, in the lands of Mekill Drippis, in the barony of Kilbryd and shire of Lanark; which lands were then, and in time of peace, valued at twenty merks, and were held of the Lord of Kilbryd, for court service, and had been in his hands since the death of the elder Harbert. Dated Thursday, 16th October 1421. (*Orig. Ardgowan Charter Chest*) 22

29. Precept directed by James Stewart, Lord of Kilberde, to Sir John of Montegomorry, Lord of Ardrossane, as bailie of Kilbride, for infefting Harbert of Maxwele in the lands of Mekil Drippis, after the form of the above service. Dated at Lanark, 20th October 1421. (*Orig. Ardgowan Charter Chest*) 23

30. Charter of Confirmation by King James I. of a charter by Murdoch Duke of Albany, Governor and Steward of Scotland, Earl of Fyf and Menteth, to John of Montegomeri of Ardrossane, Knight, and Margaret of Maxuel his spouse, and their heirs, of the lands of Thorneton, Auchingalle, Crethnawis and Monynette, within the constabulary of Hadington and shire of Edinburgh; which had been resigned by Sir John: To be held of the Lord Steward of Scotland, for services used and wont. Dated at Streuelyng, 29th March 1422: The confirmation reserves to the King and his successors, wards, reliefs and marriages when they occur, and is dated at Edinburgh, 2nd October, A. R. R. 22do. [1427]. (*Reg. Mag. Sig., lib.* ii. *No.* 96) 23

31. Charter by David of Coghrane, Lord of North Ovyrlee, to Edward of Coghrane, his son, and the heirs of his body, of the lands of Ovyrlee, within the barony and shire of Ranfrow: To be held of Alice of Coghrane and her heirs, for payment yearly of thirty pennies Scots at Ovirlee, in name of blench farm, by equal portions at Whitsunday and Martinmas [1425] 25

32. Confirmation of the above Charter by Alice of Coghrane, Lady of Nethirlee [1425]..... 26

33. A similar Confirmation of the Charter No. 31, by John Lecprewike, Lord of Meidlee [1425], 26

34. Precept directed by David of Chochran of Lee, to Andrew Cambal and others, his bailies, for infefting his son, Edward of Chochran, in the land of Llee, within the barony and shire of Renfrw; and also in the lands of Ascoke, within the lordship and shire of Bwt; according to the tenor of his charter. Dated at Llee, 24th August 1425 26

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35. Grant by King James I. under the Great Seal, constituting Alexander of Montgomery of Ardrossane, and Robert Cunynghame of Kylmauris, Knights, Keepers of Kyntyre and Knapdale, with power to govern and defend the said lands, with the islands of Gezay and Dannay, pertaining to the keeping of the castle of Lorn, and with power to hold courts, punish delinquents, levy fines, etc.; and to endure seven years from Whitsunday then last. Dated at Pertht, 10th August 1430. (*Reg. Mag. Sig. lib.* iii. *No.* 60)..... 27

36. Charter of Confirmation by Alan Stewart, Lord of Dernlie, of a charter by Sir Herbert Herys, Knight, Lord of Traregillis, to Robert of Dalzelle of Bracanryg, and the heirs male procreate between him and Agnes of Hamyltoun, his spouse; whom failing, to the heirs male of his body whomsoever; whom failing, to his lawful heirs male of his own name of Dalzele; whom failing, to his lawful heirs whomsoever, of the lands of Carngulane, within the barony of Torboltoun and shire of Are. Dated at Cruxtowne, 18th November 1437, 28

37. Indenture between Alexander Mongomry, Knight, Lord of Ardrossane, and Alan Stewart, Lord of Dernle, agreeing that John Stewart, son and heir of the latter, should marry Mergaret of Mongomry, the eldest daughter 'that is to mary' of the former, and failing said son or daughter by death, the next son or daughter, and so on till the said marriage be completed: for which marriage Alexander should pay to Alan six hundred merks Scots, to be repaid if it should not take place: Also that Alan should give, in conjunct infeftment, the lands of Dregarn and Dromley, said lands remaining with Alan till the completion of the marriage: and that if Alan should recover, in whole or in part, the earldom of Leuenax, Alexander should give as much as the old extent is in property in a year; and Alan should give in joynt infeftment to John and Margaret (or to the other parties who should complete the marriage) 100 marks: That John and Margaret should remain, in the meantime, with their respective fathers, and that the marriage should take place as soon as they were of legal age. Sealed interchangeably with the seals of Alexander and Alane, and dated at Houstoun, 15th May 1438 28

38. Charter by John Lokhert, Lord of Barr, with consent of Robert Lokhert, his son and heir, of an annualrent of five merks from the lands of Barr and Neutoun, in the bailiery of Waltyris Kyle and shire of Are, to a chaplain for celebrating three masses in (Holy) week, yearly at the altar of St. Peter, in the parish church of Ardrossane, for the souls of the granter, his wife, children, predecessors and successors, and all Christians: binding the said John or his heirs, etc., if he or they should contravene this deed, to pay £100

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Scots in name of penalty to the dean and chapter of Glasgow, and £100 to the chaplain performing the said service for the time. Dated at Ardrossane, 12th March 1438 ... 30

39. Charter by James of Crag, son and heir of the deceased John Crag, Lord of that Ilk, to Richard Donaldsoun, son and heir of the deceased John Donaldsoun, of the Temple lands lying in the lordship of Eglishame and regality of Ranfrew: To be held from the granter and his heirs of the lord superior thereof, for services used and wont: binding the said James and his heirs, etc., if they should attempt to contravene this charter, to pay 100 marks Scots in name of penalty, to be applied to the building of the church of St. Kentigern of Glasgow; and 100 merks to the said Richard or his heirs, etc., in name of damages, expenses and interest. Dated at the Nethercrag, 10th April 1450 31

40. Charter of Confirmation by Henry of Leuyngstoun, Knight, Commendator of the Preceptory of the Order of St. John of Jerusalem in Scotland, of the above charter by James Crag to Richard Donaldsoun. Dated at Torfichin, 26th October 1454 32

41. Charter by King James II. to Alexander first Lord Montgomery, of the lands of Kendloche of Raynsay, Cathadyll, the two Touregeys, the lands of Altgoulach, Auchegallane, Tymmoquhare, Dongarre and Penreoch, lying in Arane in the shire of Bute: To be held of the King and his heirs for giving annually three suits at Bute in the three chief courts to be held there every year. Sealed with the Great Seal, and dated at Edinburgh, 22nd May 1452 33

42. Charter by King James II. to Alexander Lord Montegomery, and Margaret his spouse, of the land of Roberstoune lying in the bailiery of Cunynghame and shire of Are, with the service of all the free tenants dwelling on the said land; which land and service belonged hereditarily to Alexander, and were resigned by him in the King's hands at Perth: To be held by Alexander and Margaret his spouse, and the heirs lawfully begotten between them; whom failing, by the true, lawful, and nearest heirs of Alexander whomsoever, of the King and his heirs and successors for services used and wont. Sealed with the Great Seal, and dated at Perth, 16th September 1453 33

43. Discharge by Robert Crawfurde of Achinhamis and Archibald Crawfurde of Pryveke, to 'Vilzame Ker, Larde of Kerislande,' for the sum of 100 merks Scots, as dowry for the marriage of Margaret Ker his daughter with Archibald Huntar, Larde of Ardneill, per-

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taining to them. Sealed with the seals of the said Robert and Archibald, at Auchinhamys, 14th June 1462 34

44. Obligation by Dauid Liddayle, son and heir to Jhon of Liddail of Lochttillo, to Schir Vilzham of Mungumbry of Giffin, whereby David binds himself, his heirs, executors and assignees, in the event of him or them disturbing Sir William or his heirs in the possession of the lands of the Bar and six merks' worth of Drumbuye, in the lordship of the Braydstayn and shire of Are, to pay to the latter the sum of £300 Scots because of true debt, and £40 in name of costs, scaiths, and expenses, from the rents of his lands of Lochttillo, etc. Sealed at Edinburgh, 3rd November 1465 35

45. Retour made before Sir John of Colquhone of that Ilk, Knight, and others, of the service of Alexander of Montgummery as heir to his father Alexander of Montgummery, in the office of bailie of the barony of Conyngham, within the shire of Are: held of the King as Steward of Scotland for the service pertaining to the office of bailie, in name of blench farm. Dated at Linlithgw, 17th June 1466 36

46. Instrument of Resignation by John Chawmer of Gadgyrcht, Knight, procurator for William Cunygam of Glengernok, in the hands of King James III., of the lands of Bolgaris, extending yearly to £10; of the two Kilfassachis, extending yearly to ten merks; and of Ballandallach, extending yearly to five merks, lying in the earldom of Lennax and shire of Striueline, in favour of Humphry Cunygam, grandson (nepoti) and apparent heir of said William, and Elisabeth of Edmonstone his spouse, and their children; whom failing, of the lawful heirs of William whomsoever. Done at Edinburgh, in the King's chamber in the castle, 21st July 1467 37

47. Charter by Hugh of Montgumry of Thorntoun, to Marjory Flemyng and John of Muntgumry, his eldest son and heir, in conjunct fee, on account of the marriage to be completed between them, of the lands of Owyr Thorntoun, lying in the lordship of Thorntoun: To be held by Marjory and John, and their heirs male, of Hugh and his heirs, for payment of a silver penny yearly, at Whitsunday, upon the ground, in name of blench farm, if asked only. Dated at Thorntoun, 22nd November 1468 38

48. Instrument of Revocation by Dame Jonet Houstoun, relict of the deceased William Montegomori of Gyffin, Knight, of all and sundry donations, alienations, assedations and assigna-

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tions of the lands formerly hers, annualrents and farms, made to whatsoever persons by the deceased William her husband, during the subsistence of their marriage, and especially of the lands of Wrechthill, made to Robert Montegomori, his eldest son, and his spouse, for a year: protesting solemnly that such donations, alienations, etc., made at the time above mentioned, and relating to her interests to the extent of lawful terce and conjunct infeftment, should not now tend to her prejudice. Dated at Irwyne, 10th March 1471, 38

49. Charter of Confirmation by John, Earl of Leuenax, Lord Dernle, and of Torboltoun, of a charter by Adam of Conyngham, Lord of Caprountoun and Colisfeld, in favour of his beloved uncle, Alexander Conyngham of Mureth, of the lands of Colisfeld, lying in the barony of Torboltoun and shire of Are: To be held by Alexander and his lawful heirs male, whom failing, to revert freely to the granter and his heirs, for giving yearly ward and relief, and three suits at the granter's court of Waylstoun, at three head pleas. Sealed with Adam's seal at Renfrew, 1st April 1475. The confirmation saves the superior's service, and is sealed with his seal at Renfrew, 2nd April 1475 39

50. Charter by William Dauidson of Snodgers to William Arthurle, Doctor of Decrees, and vicar of Kylbyrne, of the lands of Snodgers, lying along the bank of the water of Gernok, within the shire of Ayre and lordship of Conigham: To be held of the Lord Steward of Scotland and his successors, by William, his heirs and assignees whomsoever, for yearly payment of a rose at the feast of St. John the Baptist (25th June), upon the ground of said lands, in name of blench farm, if asked only. Reserving, however, to the granter, Helen his spouse, and the survivor of them, after the expiry of the tack formerly made to said William, the frank tenement of the half of said lands, as long as he or she should live. Sealed with the granter's seal at Glasgw, 1st April 1477 40

51. Charter by John, Earl of Leuenax, Lord Dernle, and of the barony of Torboltoun, to his beloved cousin, Adam Cwnyngam of Caprontoun, of the lands of Colisfeld, lying within the barony of Torboltoun and shire of Are: To be held of the granter and his heirs for payment of one penny Scots yearly, in name of blench farm, upon the ground, at the feast of the Trinity, if asked only. Sealed with the granter's seal, at the Castle of Crukistoun, 21st March 1477 41

52. Grant by Alexander Lorde Home, to Thomas Home his son, of the frank tenement of the lands of Castiltovne, Kyrkwode, Creoblare, Makbehill, Galoberis, Langschawis, and

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Quhitleys, lying within the lordship of Stewartowne and shire of Hayr: To be held by Thomas all the days of the granter's life, with the freedoms, profits, etc., pertaining thereto. Sealed with the granter's seal, at Dunglas, 13th April 1478..... 41

53. Instrument of Publication of the above Grant, done on the ground of the said lands, in the place called Galowbery, 2nd May 1478..... 42

54. Instrument relative to the delivery by the tenants of the lands of Galovberyis, to Sir James Flemyng, rector of Cherynsyde, as procurator for Alexander, Lord the Home, and Lady Margaret his spouse, of forty-eight cows, in name and behalf of the latter; and the re-delivery by the procurator of the said cows as a free gift to Thomas Home, natural son of Alexander and Margaret. Done on the farm of Galovberyis, 2nd May 1478 43

55. Procuratory of Resignation by Alexander Lord Home, to Sir John Stevart, Lord of Dernlye, George Maxvell of Carnsalovch, and others, for resigning in the hands of King James III., as tutor and governor of his eldest son, James Duke of Roithzay, Earl of Carrik, Lord of Cunynghame, Steward of Scotland, etc., the lands of Langschawis, Cassyltone, Galovberys, Quhytleyis, Robertlande, Chreoblare, Kyrkwode, and Makbehyll, lying in the lordship of Stewartone and shire of Are; which were held by Alexander of the Duke, as Steward of Scotland, so that the King as tutor, etc., might dispone them at his pleasure. Dated at Dunglas, 31st May 1479..... 44

56. Charter by Hugh, Lord Mwntgumri and Giffyng, to Alexander Mwntgumry, son and apparent heir of Robert Mwntgumry of Giffyng, and Jonet of Dunlop his spouse, and the survivor of them, of the five merk land of old extent of Bar, lying in the lordship of Giffyng, bailiery of Conygham and shire of Air: To be held by Alexander and Jonet in conjunct fee, and their lawful heirs male; whom failing, by Robert, and his true lawful and nearest heirs whomsoever, for the services used and wont. Dated at the lands of Bar, 29th August 1483 44

57. Instrument of Sasine given by George Campbell of Lowdoun, Knight, sheriff of Air (by virtue of a brieve of sasine from the Chancery of James IV., as tutor and governor of his eldest son, James Duke of Rothsay, Earl of Carrik, and Lord of Kile and Conynghame), in favour of Hugh Lord Montegomori, of the lands and lordship of Ardrossane, with Seilcrag

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island and a stone of white wax yearly from the lands of Monfoid, and the fishing of Eist Saltcottis; the lands and lordship of Eglintoun; and the lands and lordship of Robertoun, lying within the barony of Conynghame and bailiery of Air. Done on the ground of said lands, 5th June 1484 45

58. Procuratory by Hew Lord Montegomery, appointing Johne Montegomery of Giffyn, and others, his procurators for receiving from the King's officers sasine of the lands of Wrychthill, and the annual of Drumdow, after the tenor of the King's precept. Dated at Ardrossane, 6th September 1484 47

59. Instrument of Revocation by Hugh Lord Montgumry, of all grants, donations, confirmations of lands and obligations, given under his seal or sign manual, to whatsoever persons, during his minority; and especially of the charters, letters, and evidents granted to the deceased Hugh Montgumry, his foster-father. Done within the Castle of Ardrossane, 11th October 1484 47

60. Letter of Remission by King James IV., whereby, for the good and grateful service done to the King by Hugh Lord of Montgumry, and especially in the Camp near Striuelin, on the day of St. Barnabas then last bypast, his Majesty remitted all action against Hugh for the destruction and pulling down of the place or house of Turnelaw, and for other offences committed by him previous to the 29th August then last, being the date of the royal proclamation made at Lanark relative to the granting of remissions. Given under the Great Seal. at Edinburgh, 14th October 1488..... 48

61. Letter of Reversion by Robert Abernethy, rector of the church of St. Mary of Rothsay, to Ninian Cocherane of Leys and Askok, of the lands belonging to him within the burgh and territory of Rothsay, on payment of forty merks Scots, and ten merks for buildings erected on said lands, on the high altar of the parish church of Rothsay; he or his executors or assignees having forty days' previous warning: On this condition, that Robert, his executors or assignees, should possess, for the King's farms, the said lands from Ninian and his heirs or assignees, for three years immediately following the payment of said sum; and that if Robert, his heirs or assignees, should absent themselves from the receipt of said money, Ninian, his heirs or assignees, should have free entry to the said lands without any payment to the said Robert. Dated 9th December 1490 48

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62. Instrument of Sasine given *propriis manibus* by Ninian Cocherane of Lee to Mr. Robert Abernethy, rector of the church of St. Mary in Rothsay, of a croft of land near the Cross, called Cross M'Gibbon, on the north side of the road: Robert first giving to Ninian a Charter of Reversion of the said croft. Done near Cross M'Gibbon, 10th December 1490 50

63. Instrument of Sasine given by Patrick Culquhoune, bailie of Ninian Cocherene, Lord of Lee and Asckok, to William Cocheren in Kirkton and Cuthbert Speyr, attorney for Margret Sympile, spouse of the said William, of Ninian's twenty-nine shilling land of old extent, lying on the north side of Ascok. Done on the ground of said lands, 30th July 1497 50

64. Retour of the Service before Hugh Campbell of Lowdone, sheriff of Are, of Adam Cunyngham of Caprontoun, as heir of his father in the lands of Velchtoun, Garngulane, Colisfeild, Vallesbank, and Mill of Enterkin, lying in Kilesteuart, within the shire of Are; also of Caprontoun and Brokalmvre, lying in Kilesteuart and shire of Are; of Badlane and Brodokle, in the bailiery of Cunyngham and shire of Are; and of Rynnistoun, within the territory of the burgh of Are. Also of the office called the Cronarisschipe of Kile Regis, Kile Steuart, and Cunyngham: which lands of Velchtoune, Garngulane, and Colisfeild, were then, and also in time of peace, valued at sixty merks, Badlane and Brodokle then, and also in time of peace, at six merks; and Rynnistoun then, and also in time of peace, at two merks: Velchtoune, Garngulane, Vallesbank, and Mill of Enterkin, being held of the Baron of Tarboltoun by ward and relief, and a common suit at the principal messuage of Tarboltoun; Colisfeild by blench farm, of the Baron of Tarboltoun, for payment of a penny upon the ground of the said lands at the feast of the Trinity, if asked; and Caprontoun, of the King as Steward of Scotland, by ward and relief, and a common suit in the Court of Prestock; Badlane and Brodokle, of the King, as Steward, by blench farm, for payment of a penny yearly at Whitsunday, if asked; Rynnistoun, of the King, burgage; and the said Cronarisschipe, of the King, for service used and wont; and had all been in the hands of the superiors thereof since the death of Adam, two months before. Dated at Are, 3rd October 1497 51

65. Contract between Hugh Lord of Mungumbre, on the one part, and Sir Archibald Edmonstwn of Dunthret, on the other part, for the marriage of John of Mungumbre, son and heir of the former, to Bessie Edmonstwn, daughter of the latter; and failing of John or Bessie

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by death, Hugh and Archibald bind their second, third, and fourth sons and daughters respectively: For which marriage Sir Archibald binds himself, his heirs, etc., to pay to Lord Hugh 1300 merks Scots; and if either party should break this contract, he should pay to the other party 2000 merks for costs, etc. Dated at Strueling, 1st June 1498 52

66. Charter by King James IV. to Hugh Lord Montgumry of the Bailiery of Cunynghame and Chamberlaincy of the burgh of Irwyn: To be held by Hugh and his heirs of the King and his successors, as Stewards of Scotland, for payment of the rights, services, and dues used and wont of the said offices, according to the tenor of the ancient charters thereof: with power to Hugh and his heirs to ordain and hold Courts of Bailiery and of Chamberlaincy within the burgh of Irwyn; to convoke suits, punish transgressors, levy fines, escheats and issues of courts, and to receive and call up pledges; to receive, open, proclaim, and cause to be duly executed, briefs from our Chancery directed to him, and presented at his office of bailiery; to remove mairs and serjeants from their offices, and to appoint others in their stead; to hear and decide disputes and questions moved in said courts; and to appoint one or more deputies under him in the said offices, for whom he should be held responsible, etc. Given under the Great Seal, and dated at Edinburgh, 4th June 1498 54

67. Letters by King James IV. to his subjects in the bailiery of Cunynghame and burgh of Erwyne, commanding them to obey Hugh Lord Montgumry in his offices of Bailie of Cunynghame and Chamberlain of Erwyne. Given under the Privy Seal and Sign Manual, at Edinburgh, 6th June, A. R. R. 10° (1498) 55

68. Instrument of Sasine given by King James IV., *propriis manibus*, to Hugh Lord Montgumry, of the offices of Bailie of Cunyngham and Chamberlain of Irvin. Done at the new royal Castle of Lochinkerane, in Kentyre, 4th July 1498 56

69. Letters of George Earl of Huntlie, Justice-General of Scotland on the south of the Forth, attesting that Robert Montgumry of Giffin had been acquitted, after trial in the Justiciary Court held at Aire, of the slaughter of Martin Makcachne, in the town of Irwin. 9th March 1498 57

70. Instrument of Resignation by Hugh Lord of Montgumry, in the hands of King James IV., as Steward of Scotland, of the lands of Robertoun, lying in the bailiery of Cunynghame

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and shire of Aire: which resignation being made, his Majesty, as Steward of Scotland, granted the said lands of new to the said Hugh, and Elen Campbell his spouse, in conjunct infeftment, and to their lawful heirs; whom failing, to the heirs of Hugh whomsoever, in feu and heritage for ever: To be held of the King and his successors, as Stewards of Scotland, according to the tenor of the charter made thereupon. Done at the Palace at Striueling, 3rd February 1499 58

71. Letter of Reversion by John Blar of that Ilk, to Hew Lord Montgomery, to resign the lands of Drummoster and Holmbyre, lying within the barony of Ardrossane and shire of Aire, on payment of 500 merks, as tocher for the marriage between Helen Montgomery, the daughter of the latter, and John Blar, son and heir of the former; for the payment of which the said lands had been disponed in security. Blair, 15th November 1500..... 59

72. Discharge by David Betoun, servant to the King, to Hugh Lord Montgumery, for 100 merks, in full payment of 500 merks, as composition for certain persons convicted of the theft of 'ane collar and ane sword,' at the Court of Justiciary held at Air. Edinburgh, 5th May 1501 60

73. Decreet Arbitral by Hugh Lord Montgumry, between Alexander Montgumry, son and heir of the deceased Robert Montgumry of Giffin, and Margaret Blayr, spouse to Robert, ordaining her to have for terce, the lands of the Wrychthill, lying in Kingiskile within the shire of Ar; 25 shillings of annualrent from the lands of Drumdow, within the said shire; 25 acres of land lying within the burgh of Linlithqwe; and the annualrents whatsoever within the said burgh, pertaining to the deceased Robert. Irwin, 22nd November 1501, 60

74. Retour of the Service of Alexander Montgumry, as heir of his father, Robert Montgumry of Giffin, in the lands of Giffin, Knokintyr, Knokinlyne, and 50 shillings of annualrent from the lands of Drumdow, all lying within the shire of Are; also 25 acres of the lands of Poldrat, in the territory and shire of Linlithqw, and certain annualrents belonging to said lands, raised from certain tenements within the said burgh of Linlithqw: which lands and annualrents were then valued at 135 merks, and in time of peace at 43 merks, held of Hugh Lord Montgumry for the service of ward, relief and marriage, and three suits at three heads pleas annually at Greyhill in Giffin, and had been in the said superior's hands since the death of Robert, fifteen days before. Dated at Grey in Giffin, 26th November 1501 61

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75. Discharge by Constantyn Montgumerye, brother german to Alexander Montgumerye of Gyffen, to the said Alexander, for £10 Scots, in full contentment of his bairn's part of goods falling to him through the death of his father and mother. 23rd December 1502, 62

76. Tack by Margaret Blair, spouse of the deceased Robert Montgumery of Giffyn, to her son, Alexander Montgumry of Giffin, of her terce lands of Giffin, and also of the lands which Dame Jonet Houstoun, mother of the said Robert, held in conjunct infeftment and terce, for all the days of Margaret's life; Alexander's entry to be 18th May 1503 63

77. Discharge by Ninian Cochran to Lord Montgumry, for £40 Scots, as the last instalment of 260 merks due to him by the said Lord Montgumry for lands in Bwyt. Dated at Glasgow, 8th December 1505 63

78. Notarial Instrument, testifying that Ninian Stevart, Sheriff of But, promised to give and pay to the daughters procreate between Alexander Mungumre, late Laird of Giffin, and Jonet Dunlop his spouse, 100 merks Scots each, until they were married. Done on the lands of Giffin, 29th June 1506 64

79. Instrument of Relaxation, granted by King James IV. to John Lord Maxwell, of a Recognition of the lands of Mernes and Nethirpollok, in the shire of Renfrew, in terms of a decree of the Lords of Council made thereupon. Done in the palace of Holyroodhouse, 26th February 1506..... 64

80. Precept of Sasine directed by Hugh, first Earl of Egglentoun, to John Mungumry and others, his bailies, for infefting John Mungumry, son and heir of the deceased George Mungumry of Skelmourle, in the lands of Skelmourle. Dated at Edinburgh, 19th August 1507 65

81. Instrument of Requisition by the attornies of Hugh Earl of Egillingtoune, against Robert Francis of Stane, for six chalders of meal and six pounds of pepper of annualrent of the lands of Stane and Sanct Bridis Kyrk, belonging to the Earl, for three terms immediately preceding — The said Robert declared there would be controversies and disputes between him and the Earl, until the question were decided before the King and the Lords of his Council; and neither granted nor refused the said quantity of meal and pepper. Done upon the lands of Sanct Bridis Kyrk, 11th November 1507..... 66

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82. Charge by King James IV. to the Bailie of Cunnynghame, to call before him Jonet Dunlop, spouse of the deceased Alexander Montgumry of Giffin, and Margaret Blair good-mother of the said Alexander, and to decide the dispute between them relative to the right of the former to eleven bollis of meal yearly for the 'Myl of Heslait,' and forty stones of cheese for the lands of the Thirdpart. Edinburgh, 17th January 1507 67

83. Indenture between Hugh, first Earl of Eglintoun, on the one part, and Robert Francis of the Stane, on the other part, for a marriage betwixt William Montgomery, or failing him, Hugh Montgomery, sons of the Earl, and Elizabeth daughter to the said Robert, to be completed within a year. Edinburgh, 20th January 1507 68

84. Discharge by James Archbishop of Glasgo, to Hugh, first Earl of Eglingtoun, for 100 merks as composition for the ward of the five pound land of Kelle, lying within the shire of Renfrew. Dated at Striuelin, 6th June 1509..... 70

85. Instrument of Protest by John Muntogumberye, brother of Hugh, Earl of Eglingtone, and bailie of Conigham, and John Muntogumberye, bailie of the burgh of Irwyn, deputies of the said Bailie of Conigham, against the trial before the Sheriff of Are, of Robert Boyman, John Gardner, and John Galstone, accused of the spoliation of two oxen from Robert Lyndessay and Elizabeth Holmys, living in Dreghorn Conigham and Caprunstane, and claiming that they should be tried before the Bailie of Conigham, in regard the crime charged against them was committed under his jurisdiction. Done in the face of the Court at Are, 31st July 1509 70

86. Decree by the Lords of Session, at the instance of Hugh, first Earl of Eglintoun, and others, against Matthew Campbell, Sheriff of Air, and others, reducing their deliverance regarding the spoliation referred to in the preceding writ. Dated at Edinburgh, 7th February 1509..... 71

87. Decree Arbitral pronounced by Andrew Bishop of Murray, the Earls of Auguse, Ergile, and Cassillis, and William Lord Borthuik, finding that Hugh, Earl of Eglintoun, is hereditary bailie of the bailiery of Cunynghame; and ordaining Cuthbert, Earl of Glencarne, to renounce all right thereto on receiving payment of certain sums. Dated at Edinburgh, 12th January 1509..... 72

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88. Discharge by Cuthbert, Earl of Glencarne, and William of Conyghame, his son and heir, to Hugh, first Earl of Eglentovn, and Bailie of Conyghame, for the sum of £400, being the amount adjudged in the preceding decreet-arbitral to be paid by the said Earl of Eglentovn. Dated at Montgrenan, 27th May 1510 75

89. Notarial Requisition by John Mowet, son and heir of John Movat, laird of Busby, as procurator for Hugh, Earl of Eglentovne and Lord Montgomery, against John Tempiltovne, son and heir of Edward Tempiltovne, laird of Tourlandis, and Bartholomew Akinloss, laird of that Ilk, for the sum of £100, together with a sufficient letter of tack for three years of the foresaid lands, according to the tenor of a letter of reversion made to Robert Conyghame of Coningameheid thereupon. Done at the houses of Thomas Legat, burgess of Irvin, and Thomas Boyd in Kilmarnok, 9th February 1510..... 75

90. Notarial Instrument, narrating that John Norum and John Sluthman, formerly officers of the late Hugh Campbell of Loudoun, Sheriff of Are, appeared before Andrew Lord Gray, the King's Justiciar, etc., and were judicially charged with the theftuous concealment of 10 merks Scots belonging to the King, received from the Lairds of Skelmurle and Kelsoland as the composition of Thomas Kelso. They confessed that they received the said sum from the lairds foresaid, and delivered it to the said Sheriff of Are. Done in the court-house of the burgh of Aire, 31st October 1511 76

91. Letter of Reversion by Andrew Crawfwrd of Badlane, to resign to Hugh, first Earl of Eglintone, the lands of Drummostyr, lying within the shire of Air, bailiery of Cwnygham, and barony of Ardrossane, on payment of 200 merks upon the high altar of the Abbay kyrk of Kylwynnyng. Dated at Egleyntone, 4th May 1512..... 77

92. Obligation by Hugh, first Earl of Eglintoun, to Alexander Lekpreweik of that Ilk, whereby he binds himself and his heirs not to uptake the fruits or mails of seventeen and a half merks' worth of the lands of Litill Bennane, within the lordship of Eglissem and shire of Renfrew, sold to the Earl by Alexander, for three years after Whitsunday next following the date of these presents. Dated at Polnowon, 20th July 1512 78

93. Bond of Manrent by John Montfod, son and heir of Alexander Montfod of that Ilk, to Hugh, first Earl of Eglintovne. Dated at Polnone, 18th August 1513 78

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94. Retour of the Service before William Houstoun, Sheriff of Renfrew, of John Stewart, as heir of the deceased Matthew, Earl of Leuenax and Lord Dernle, his father, in the castle and lordship of Crukisfew, with the mill of the same; the palace and lands of Inchenane; and the lands of Perthekstok, lying within the shire of Renfrew: which were then in whole valued at £400, and in time of peace at £100; part of which were held of the King as Steward of Scotland, for payment yearly of a silver penny at Whitsunday, at the said castle, in name of blench farm, if asked; and part for the service of ward and relief, and a common suit in the Sheriff-court of Renfrew; and had been in the King's hands since Matthew's death, five weeks before. Done at Renfrew, 11th October 1513. (*Orig. in Poloc Charter Chest*) 79

95. Retour of the Service before William Lord Sympile, Sheriff of Renfrew, of Hugh Montgumry as heir of the deceased Sir John Montgumry of Corscraig, Knight, his father, in the lands of Pottartowne and Dyconisbank, lying within the lordship of Dernele and shire of Ranfrew; which were then valued at 8 merks, 10 shillings, and 8 pence, new extent, and in time of peace at 5 merks and half a merk, of old extent; and which were held of John, Earl of Lenax and Lord Dernely by the service of blench farm, for payment of one penny at Whitsunday, if asked only, and had been in his hands since the death of Sir John, one year and 9½ months before. Done at the Cross of Penneld, 10th July 1515. (*Orig. in Poloc Charter Chest*) 81

96. Tack by King James V. with consent of the Regent Albany, to Hugh, first Earl of Eglingtoun, of the lands and lordship of the Stewartoun, lying within the bailiery of Cunynghame and shire of Are. Edinburgh, 12th October 1515 81

97. Confirmation by King James V. with consent of the Regent Albany, of letters of donation and assignation made by Hugh Earl of Eglingtoune, Lord Montgomery, of the wards and marriages following: namely, to Isobella Montgomery his daughter, of the ward and marriage of Robert Montgomery, son and heir of the deceased Patrick Montgomery of Gyffyn; to Katherine Montgomery, his daughter, of the ward and marriage of George Montgomery, son and heir of the deceased Cuthbert Montgomery of Skelmorelie; also to the same Katherine, his daughter, of the ward and marriage of Alexander Fergushill, son and heir of the deceased Thomas Fergushill, and of Robert Fergushill of that Ilk; to Jonet Montgomery, his lawful daughter, of the ward and marriage of John Ker, son and heir of the deceased Robert Ker of Kerrisland; and to Jonet Montgomery, his natural daughter,

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of the ward and marriage of the heir or heirs of Kellie. Edinburgh, 22nd October 1515 82

98. Grant by King James V. with consent of the Regent Albany, to Hugh, Earl of Eglingtoun, of the office of Fiar of the Isle of Litill Comeray, until His Majesty attain the age of fifteen years: Giving to him full power to correct, punish, and resist all persons wasting and destroying the said Isle, etc. Edinburgh, 28th October 1515 84

99. Obligation by Colin, Earl of Ergile, to Ellen Countess of Eglintoun, his aunt, to return a chain of gold and a silver piece, which had been borrowed from her by the said Earl. Dated at Edinburgh, 18th December 1515 85

100. Notarial Instrument by Hugh, Earl of Eglintoune, attesting that he consents to the continuation of the compromise arbitral between him and John, Earl of Levinax, and Cuthbert, Earl of Glencarne, on this condition, that each of the said lords, for their business, actions and quarrels, shall have only three arbitrators: namely, three for the Earl of Levinax against the Earl of Eglintoune and his three arbitrators, who should promulgate and deliver their decree and deliverance between the said lords; and in the event of a dispute, to have recourse to the superior named in the said compromise: and the same with regard to the Earl of Glencarne. Done in the palace of James, Archbishop of Glasgow, etc., 3rd May 1516 85

101. Grant by King James V. with consent of the Regent Albany, to Hugh, first Earl of Eglintoune, of the office of Justiciary within the bailiery of Cunynghame, both in the burgh and lands of the same: giving him full power and special command to hold courts of Justiciary within the bounds of the bailiery; to call suits, choose assises, appoint officers of court, and punish thieves, plunderers, and homicides, etc. Glasgow, May 1517, 86

102. Notarial Instrument, attesting that Robert Montgomery, attorney for Hugh, Earl of Eglynetoune, and John Montgummery, his son and heir, appeared in the presence of Cuthbert, Earl of Glencarne and Lord of Kilmawaris, etc., being in the lodgings of James Archbishop of Glasgow, and there required the said Earl to fulfil a certain contract, confirmed by the Regent Albany, relative to the infeftment of the Earl of Eglintovne and his son hereditarily, in certain lands therein mentioned, without delay or impediment. Done in the lodgings of the said Archbishop in Edinburgh, 27th May 1517..... 87

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103. Instrument of Resignation by John Montgumry, as procurator for Thomas Hume of Langschaw, Knight, in the hands of James, Archbishop of Glasgow, and one of the Regents of the kingdom for the time, of the lands of the two Golobaries, lying within the bailiery of Cvnynghame and shire of Air, in favour of Hugh, Earl of Eglingtoune, and Helen Campbell his spouse, in conjunct fee, and their heirs. Done in a chamber of the said Archbishop's lodgings in Edinburgh, 24th April 1518 88

104. Indenture between John Earl of Lenax and Hugh, first Earl of Eglingtone, for the marriage of Mathew, eldest son and heir of the former, with Cristiane Montgomery, eldest daughter of John, Master of Eglingtone, as soon as the same could be lawfully completed; and failing either or both of the said parties, the eldest surviving son of the Earl of Lenax, with the eldest surviving daughter of the Master of Eglingtone. Glasgow, 16th February 1519 88

105. Discharge by John Earl of Lenax, to Hew, first Earl of Eglingtone, for 2000 merks, being the sum promised by the latter, according to the above Indenture. Glasgow, 18th March 1520, 91

106. Notarial Instrument, attesting the appointment by James Browne, of Thomas Browne his brother-germane, and others, as his procurators, to obtain whatever briefs from the King's Chancery were necessary regarding the two Cotlandis, and twelve ploughgates of the lands and the manor-house of the same, belonging to him through the decease of the late William Browne, his father; lying in the town of Quhitsum and shire of Berwik, and held of Thomas Redpetht, and to cause the same to be put to due execution; to receive possession and sasine of the said lands, uplift the rents, and as long as they shall deem expedient, lease them at an annual amount; and generally to do every thing necessary or convenient in regard to the premises, which the said James himself could have done if personally present. Done at Rome, at the church of St. Jheronimus, 15th May 1520 91

107. Discharge by Hugh Mungumry of Heslet and Corscraige, son and heir of the deceased Sir John of Mungumry, Knight, to John Maxvell of Pollok, of his right to twelve bolls of meal and twelve of bear, of annualrent out of Pollokschawys. Glasgow, 27th November 1521. (*Orig. Poloc Charter Chest*) 93

108. Contract between Alane Steward of Craghall, Rankin Mungumry of Scottistone and others,

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on the one part, and George Maxvell of Kowglen, on the other part, for the marriage of Henry Mungumry, 'oo' and heir of the said Rankin, with Effame Maxvell, daughter of the deceased Lard of Tynwald. Glasgw, 9th October 1522. (*Orig. Poloc Charter Chest*), 94

109. Extract of a Registered Decree Arbitral, pronounced by John Duke of Albany, Regent of Scotland, James (Beaton) Archbishop of St. Andrews, Lord Chancellor, Gawine Dunbar, Bishop of Aberdeen, John Lyndesay of Petcruvy, Knight, John Stirling of the Keire, Knight, and others, between Cuthbert Earl of Glencarne and Hugh Earl of Eglintoun, and their respective friends and servants, ordaining, that for the settling of past quarrels, and the maintenance of good concord between the parties in time to come. certain pecuniary obligations should be mutually discharged, and the Master of Glencarne's eldest son married to the Master of Eglintoun's sister. The Decree is dated the 13th, and the Extract 14th March 1523 94

110. Grant by King James V. with advice of Queen Margaret, his mother, to Hugh, first Earl of Eglintoun, of the offices of Bailie and Chamberlain of the lordship of Stewartoun, until his Majesty should attain the age of majority. Edinburgh, 10th September 1524..... 100

111. Process of Dispensation before John Dingwall, Archdeacon of Caithness, etc., Commissary of the Apostolic See, and Gilbert Strathauchin, Canon of Aberdeen, absolving Neill Mungumry and Margaret Mure, residing within the diocese of Glasgow, from the sentence of excommunication which they had incurred by their marriage, they being related to each other in the third and fourth degrees of consanguinity, and legitimating their offspring, if any. Dated and done in the aisle of St. Thomas, within the church of St. Giles of Edinburgh, 21st July 1525 101

112. Grant by King James V. with the advice of his Parliament, to Hugh Earl of Eglintoun, of the office of Justice-General of Scotland, till the King should complete his twenty-fifth year: empowering him to hold Justiciary Circuit Courts, causing suits to be called, fining absentees, punishing transgressors, etc., summoning assises, appointing deputies, and other necessary officers of court, for whom he should be held responsible, and removing them at pleasure: and generally, to do every thing that by the laws and consuetude of this kingdom is known to pertain to the office of Justiciary. Given under the Great Seal, at Dundee, 21st February 1526 104

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113. Charter by King James V. to Robert Huntar of Hunterstoune, and Jonet Muntgumry his spouse, in conjunct fee, and their lawful heirs male, of the island and lands of Little Cumray, lying within the river of Clude, of which the said Robert and his predecessors were before the hereditary keepers, and for the keeping of which two chalders of barley annually were paid to them by the Sheriff of Bute, out of the rents of the King's lands and island of Bute: To be held of the King and his successors, for payment annually of £3, 6s. 8d. at Whitsunday and Martinmas, by equal portions, in name of few farm only, with the exoneration of the said two chalders of barley, formerly paid to Robert and his predecessors for the keeping of the island; and their heirs, at their entry to the lands, to pay one year's duplication of the said few farm. Given under the Great Seal, at Edinburgh, 31st May 1527 105

114. Letter of Tack by Hugh, first Earl of Eglintoun, to James Wallace of the Carnell, his 'gud 'soun,' of the lands of Torboltoun and Galstoun, except the forty shilling land of the Tower of Galstoun and the fortalice of the same, for three years from Whitsunday then next, for payment yearly of 120 merks, and three terms' mails bygone at the making of the letter of tack. Dated at Polnwne, 3rd March 1527 106

115. Letter of Revocation by King James V. of his gift to William Master of Glencarne, of the escheat of Hugh, first Earl of Eglintoune, who was charged with, but afterwards acquitted, by an assise, of the slaughter of Edward Cunynghame of Auchinhervy. Given under the Sign Manual, at Edinburgh, 5th September 1528 108

116. Grant by King James V. to Hugh, first Earl of Eglintoune, Bailie of Cunynghame, of the office of Justiciary within the said bailiery; empowering him to hold Justiciary Courts therein, call suits, fine absentees, punish transgressors, as also to apprehend and bring to trial Symon Grahame, John Grahame, and seven other persons named, accused of common theft, plundering and depredations of every kind, by day and night: and generally to do every thing necessary or expedient in the premises. Given under the Great Seal, at Edinburgh, 11th November 1528 108

117. Charter by King James V. to Hugh, first Earl of Eglingtoune, narrating, that it plainly appeared to him and the Lords of his Council, that the Earl and his predecessors were hereditarily infeft in, and held of the King and his predecessors, by the service of ward and relief, the lands and barony of Ardrossane, extending to 180 merks of old extent; forty

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merk land of old extent of Eglingtoune; twenty shillings land of old extent of Snotgerss; forty pound lands of old extent of Robertoun; forty shillings lands of old extent of Alhallow Chapell, all lying within the shire of Are; the lands and lordship of Eglishame, with the patronage of the churches and chapels thereof, extending to one hundred merk lands of old extent; twenty pound lands of Estwod; ten pound lands of old extent of Lochlebothsyd, lying within the shire of Renfrew; ten pound lands of Bonyntoun, and five pound lands of Poltoune, lying within the shire of Edinburgh, and by annexation, within the barony and shire of Renfrew; and twenty pound lands of old extent of Locharansaye, in the island of Arane and shire of Bute; and declaring, that the foresaid lands of Robertoun and Estwod belong to the said Hugh, and Helen Campbell his spouse, in conjunct infeftment; also, that it clearly appeared that the principal messuage and manor-house of Eglingtoune had lately been burnt down and destroyed by William Cunynghame, Master of Glencarne, and his accomplices, and along with them the charters, instruments of sasine, infeftments and evidents of the said lands, which were kept therein, and that his Majesty now declared and admitted the said Hugh Earl of Eglingtoune, the immediate and legal holder from him of all the foresaid lands: To be held of the King and his successors hereditarily by the service of ward and relief; and that this present declaration and admission should be to the Earl and his heirs for a sufficient charter, sasine and infeftments of the foresaid lands in all time coming. Given under the Great Seal, at Edinburgh, 23rd January 1528..... 109

118. Decreet Arbitral pronounced by Robert Bishop of Ergile, James Houstone, subdeacon of Glasgov, Colin Campbell of Archinglas, and others, between Hugh, first Earl of Eglingtone, on the one part, and Robert Boyd in Kilmernok, Mungo Mvre of Rovallane, on the other part, ordaining, that for the settlement of all slaughters, spulzies, and quarrels between them in time past, and for order and concord in time to come, they should mutually discharge certain specified pecuniary obligations; also, that Robert should marry his son and heir to one of the Earl's 'oos.' Dated at Glasgov, 2nd May 1530 110

119. Letters of Commission directed by Laurence Bishop of Palæstrina, to the Archbishops of Glasgow and St. Andrews, for dispensing with the impediments to the marriage of Hugh Montgvmry and Marion Setoun, who were related to each other in the third degree of consanguinity, provided the lady were not forcibly taken from another on account of this. Dated at St. Peter's at Rome, 21st June 1530..... 112

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120. Process of Dispensation by Gavin (Dunbar) Archbishop of Glasgow, in virtue of the above letters, authorizing the marriage of Hugh Montgomery and Marion Setoun, and declaring their offspring legitimate. Edinburgh, 30th January 1530 113

121. Precept of Sasine directed by Hugh, first Earl of Eglingtoune, to Robert Mungumry and others, his bailies, for infefting Hugh Master of Eglingtoune, his grandson, and Marion Seytoune, mistress of Borthuik, sister of George Lord Seytoune, in conjunct infeftment, and their lawful heirs male, in the lands of Coralie, Henryiscroft, Hilend, and others. Polnone, 8th February 1530 115

122. Obligation by Hugh, first Earl of Eglingtoune, to pay to his son, Neil Montgomery of Langschaw, whatever sums the latter had expended for the building and repair of the house and fortalice of Stevartoun, and for the construction of the buildings and gardens of the said fortalice, at the sight of the said Earl, and certain workmen, before the deliverance of the said house and fortalice by Neil, if the Earl should take them from him, according to the tenor of the contract made between them. Castle of Ardrossane, 25th August 1531 116

123. Obligation by Neil Montegomery, son to the Lord of Eglingtone, to deliver up to his father, upon fifteen days' warning, the house and strength standing upon the Tempilland of Stevartone, which had been lent to him for a residence during his father's pleasure. 25th August 1531 116

124. Instrument of Resignation by Robert (Montgomery) Bishop of Argyle, son of Hugh Earl of Eglintoune, of the five merk land of old extent of Enochis, within the lordship of Eglishame and shire of Renfrew, in the hands of his father, to remain with him and his heirs for ever. Done in the Earl's lodging in Edinburgh, 5th February 1531 117

125. The Walpynshawing of Conynghame, held by Hugh Earl of Eglingtone, bailie of Conynghame, in terms of the King's letters, on the Burgh Muir of Irvin. 15th October 1532..... 118

126. Grant by Patrick Earl Bothuile, Lord Halis and Crechtoun, Great Admiral of Scotland, to Hugh, first Earl of Eglintoun, and his assignees, of the office of Admiral Depute within the bounds of Cunynghame, for the space of nineteen years. Edinburgh, 18th August 1533..... 120

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127. Instrument by King James V. revoking the grant formerly made by him of the lands of Litill Cumraye, within the shire of Bwit, to Robert Symple, son and heir of William Lord Symple; and confirming the grant of the same before made to Robert Hunter of Hunterstoun. Done in the great chamber of the Monastery of Calco, 12th November 1534 121

128. Instrument of Resignation by John Cunynghame of Caprintoun, of the office of Coroner of all the lands within the bounds of Cunyngham, in the shire of Are, with the fees and duties belonging to the same, in the hands of King James V., in favour of Hugh, Earl of Eglintoun and his heirs. Done in the King's chamber within the town of Striueling, 14th July 1535..... 122

129. Commission by King James V. appointing James (Beaton) Archbishop of St. Andrews, Gawin (Dunbar) Archbishop of Glasgow, George Earl of Huntlie, William Earl of Montrose, Hugh Earl of Eglingtoun, and Robert Lord Maxwell, warden of the northern marches, Vice-Regents of Scotland; granting them, or any three of them, the Archbishop of Glasgow, Chancellor of the kingdom, being always present, full power, during his Majesty's pleasure, to govern and defend the kingdom; to summon the people to arms as often as should seem to them expedient; to frame statutes, make proclamations, and ordain laws for the good government of his subjects; to correct and punish all sheriffs, wardens, and other temporal judges and officers, who should fail in the execution of their offices; to receive, hear, and answer ambassadors, messengers, and letters from foreign states, and to despatch ambassadors to them in his Majesty's name, as they should deem expedient; also, to grant letters of safe conduct to foreigners. Empowering the Chancellor, with consent of two of the Vice-Regents, to receive resignations of lands held immediately of the Crown, for conjunct infeftments and other changes or excambions of lands, to grant charters, sasines, and letters again to parties, and to confirm charters made between his Majesty's subjects, etc. Signed and sealed at Paris, 6th January 1536 123

130. Discharge by William Cwnynghame, Master of Glencarn, granting him to have received from Hugh Earl of Eglingtoun, a sufficient letter of slains for the slaughter of the deceased Master Mathew Montegomery, chaplain, brother-german to Constantine Mungumry. Kylmauris, 8th February 1536 125

131. Order by James Coluile, Comptroller, to the Sheriff of Bute, to pay and deliver to Hugh

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Earl of Eglintoun, for Litil Cumray, four chalders of oats — viz., two chalders for crop and year 1535, and two for the year 1536. Edinburgh, 28th November 1536 125

132. Obligation by King James V. to ratify and confirm in his next Parliament, his charter of few farm made to Hugh, first Earl of Eglintoun, of the lands of Litill Commoray, lying within the shire of Bute, for payment of five merks yearly. Subscribed with the Royal sign manual, at Edinburgh, 11th June 1537..... 125

133. Testament of Andrew Crauford of Giffertland, in which he appoints Agnes Ross, his spouse, and Thomas Crauford of Byrkheid, his executors, and Ninian, Lord of Ross, and John Blair of that Ilk, superiors of his testament. 1st February 1542 126

134. License by King James V. to William Montgomery of the Stane, and Robert Hunter of Hunterstoun, dispensing with their attendance at the war, on account of their age and infirmities, and on condition that they should send their eldest sons with their men and servants in their stead: Granting licence also to Thomas Nevyn, servant to Hugh Earl of Eglintoun, to remain at home. Edinburgh, 24th October 1542 127

135. Letters of legitimation by Mary, Queen of Scots, with consent of James Earl of Arran, Governor of Scotland, in favour of Hugh Montgomery, illegitimate son of Hugh Master of Eglintoune; William Montgomery, illegitimate son of the deceased Alexander Montgomery; Michael, Robert and Hugh Montgomery, illegitimate sons of the deceased Robert (Montgomery) Bishop of Argyle; Robert Montgomery, illegitimate son of Mathew Mongomery in the Bar; and Alexander Michaell, illegitimate son of John Michaell, chaplain; and granting them full power to dispone upon all their lands, heritages, goods, moveable and immoveable, etc., and to perform lawful acts of every sort, as if they had been born legitimate; and ordaining, that if it should happen that they or any of them should die without lawful heirs and intestate, they should be heirs to and succeed each other; and if they should all die without lawful heirs and intestate, the nearest relations on the father or mother's side should be their heirs, and should be served by the briefs of Chancery as lawful heirs, etc. Edinburgh, 9th July 1543 128

136. Agreement by Hugh, first Earl of Eglintoun, to accept the teind sheaves of the Mains of Eglintoun, Brigend Eglintoun, Mains of Ardrossan, Busbe, Litill Greithill, Knokzenocht

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and Drummoster, in lieu of £40, exigible by him from the barony of Beyth, for his fees as bailie of Kilwinning. Eglintoun, 20th October 1544 130

137. Bond of Manrent by Duncan M'Farland (uncle to the laird of Makfarlan), to Hugh Master of Eglintoun, whereby he binds himself to come to the assistance of the latter with his kin, friends, and servants, when required: and also to cause Andrew and Robert M'Farland, his brothers, to give in their Bonds of Manrent to the said Master of Eglintoun within fifteen days after they should be required thereto. 25th April 1545 131

138. Testament of Hugh, first Earl of Eglintoune, in which he commits his soul to Almighty God and the most blessed Virgin Mary, and his body to be buried in the choir of the monastery of Kilwynning, beside his parents and predecessors; leaves 20 shillings to the repair of the church of St. Kentigern, and appoints Hugh Montgomery, his heir, as his sole executor, charging him to pay all his debts, and appoint three priests to offer prayers for the safety of his soul for five years next after his decease, etc. Dated at Eglintoune, 23rd September 1545. Confirmed by Gavin Dunbar, Archbishop of Glasgow, 12th March 1545 132

139. Letters of Commission by Mary, Queen of Scots, with consent of Gilbert Earl of Cassillis, bailie of Carrik, William Lord Sympill, Sheriff of Renfrew, and others, appointing William Lord Sympill, Robert Sympill, Master of that Ilk, Quintin Mure of Rowallane, Charles Mowat of Busbye, Thomas Nevin of Monkreddin and Adam Montgomery of Murehous, the sheriffs of Aire, Renfrew, and Linlithqw, and the bailies of Carrik, Kile, and Cunynghame, to serve or execute brieves of Chancery in favour of Hugh Montgomery, as heir of Hugh Earl of Eglingtoun, his grandfather, in all the lands, annual-rents, fishings and offices of which he died seised: and as the plague was then raging in divers parts and burghs of the shires and bailieries where the said lands, etc., lay, empowering them to hold the courts of the said shires and bailieries, for the serving of the said briefs, within the court-room of the burgh of Irwin, and to cause them to be proclaimed at the market crosses of the principal burghs of the shires and bailieries where the lands lie: and generally, to do every thing necessary in and about the premises. Linlithqw, 3rd October 1545..... 133

140. Contract between James Earl of Arran, Regent of Scotland, and Hugh Earl of Eglintoun, for the marriage of a daughter of the former with the heir of the latter, as soon as they were of perfect age: For which marriage, the Earl of Arran is bound to pay to the

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Earl of Eglintoun 4000 merks in name of tocher; also, the Earl of Eglintoun is bound to infeft his son and his said spouse in as much of his land in the barony of Eglishame, as should yield 300 merks yearly. Irwin, 18th October 1545 135

141. Retour of the Service of Hugh Montgomery, as heir of his grandfather, Hugh, first Earl of Eglintoun, in all and sundry the offices of Justiciary, Chamberlain and Bailie, of all the lands of the monastery of Kilwynning, Beith, Kilmarnok, Lyandcorss and Dalry, with all the fees, duties and pertinents of the said offices; and an annualrent of £4 out of the lands and barony of Beith, as his bailie's fees: which offices and annualrent were then and also in time of peace, valued at £4; were held of the said abbot and convent of Kilwynning, for payment of a silver penny on the ground of the said lands, at Whitsunday yearly, in name of few farm, if asked only; and had been in the superior's hands since the death of the said Earl, nine weeks before. Kylwynning, 4th December 1545 136

142. Bond of Manrent by Charles Mowat of Knokintebyr, to Hugh Earl of Eglintoun, whereby, in consideration of a grant from the Earl of the two merk land and ten shilling land of the Overside of the Halbarnis, within the lordship of Roberton, he and his heirs are bound to become men and servants to the Earl and his heirs, and to 'ryid and gange' with him or them when required thereto. Irwin, 20th February 1545 138

143. Bond of Mutual Defence between Archibald Earl of Angus, his heir, and George Douglas of Petindrech, his brother-german, on the one part, and Hugh, second Earl of Eglintoun, his heir, and Sir Neill Montgumrie of Langschav, his father's brother, on the other part, whereby they are mutually bound to take part with, and assist each other in all their causes, quarrels, etc., against all deadly; the authority of the Queen and that of the Regent only being excepted: The penalty for either party breaking the said bond to be £15,000; viz. — £5000 to the party keeping it, £5000 to the Queen, and £5000 to the repairing of St. Mungo's work. Irvin, 12th April 1546 139

144. Testament of Hugh, second Earl of Eglintoune, whereby he commits his soul to Almighty God and the most blessed Virgin Mary, and his body to be buried in the choir of the monastery of Kilvyning, and appoints Lady Marion Seytoun, his spouse, Hugh Montgumry, his eldest son and heir, and Mr. James Houstoun, subdeacon of Glasgow, his executors, etc. Monkreddin, 18th and 31st August 1546 141

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145. Obligation by Dame Marion Seytoun, Countess of Eglyntoun, to Robert Master of Boid, not to contract marriage with any person, nor to grant tacks of the lands belonging to the house and lordship of Montgumre, except to the persons in present possession of them, and their heirs, without the advice and consent of the said Master of Boyd. Edinburgh, 16th May 1547. (*Orig. Kilmarnock or Boyd Charter Chest*) 143

146. Letters of Archibald Earl of Argyle, Justice-General of Scotland, attesting that Lady Marion Seytoune, Countess of Eglintoune, had been acquitted of the slaughter of Neill Montgomery of Langschaw, Knight. 28th June 1547 144

147. Discharge by Mary, Queen of Scots, with consent of James Earl of Arran, Regent, to Hugh Earl of Eglintoun, of the summons of error, at her instance, for the reduction of the retours of the Earl's father, as heir of his father in the lands and lordship of Robertoun, etc. Given under the signet at Edinburgh, 15th September 1548 144

148. Letters of Relaxation from the process of the horne, by Mary, Queen of Scots, in favour of Robert Master of Boyd, John Byrsbane of Bischoptoun, David Fairlie, younger of that Ilk, and others, inasmuch as they had found bail for their appearance before the Justiciary Court, to answer for the cruel slaughter of Nele Montgomery of Langschaw, Knight. Given under the signet, at Edinburgh, 11th December 1548. (*Orig. Kilmarnock or Boyd Charter Chest*) 146

149. Letters of Remission by Mary, Queen of Scots, with consent of the Regent Arran, to Robert Master of Boyd, John Birsbane of Bischoptoun, David Fairlie, younger of that Ilk, Charles Mowat of Busby, Robert Boyd, younger of Portincroce, Robert Boyd in Clerkland, Archibald Boyll and William Blair, for not joining the army appointed to assemble at Glaidismuir, to oppose the English; and for the slaughter of Neill Montgomery of Langschaw, Knight. Given under the Privy Seal, at Edinburgh, 11th December 1548 146

150. Tack by John Hamilton, archbishop of St. Andrews, farmer of the teind sheaves of the abbacy of Kilwynning, to Alexander Mure, of the teind sheaves of the lands of Ormescheucht, in the parish of Irvyne. Hamilton, 3rd March 1549 147

151. Contract between James Duke of Chattellarault, Earl of Arrane, and Lady Jane Hammiltoun, his daughter, on the one part, and Hugh Earl of Eglingtoun, Dame Marioun Seit-

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toun, Countess of Eglingtoun, Robert Lord Semple and others, on the other part, for the marriage of the said Earl and Lady Jane, within a year after the date of the contract. Dated at Edinburgh, 13th February 1554 148

152. Decree by the Lords of Council, ordaining Hugh, third Earl of Eglintoun, to relieve Robert Lord Boyd, Alexander Boyd in Craig, and their sureties, of the payment of 350 merks, claimed from them by John Montgomery, for the slaughter of his father. Edinburgh, 29th May 1555. (*Orig. in Kilmarnock or Boyd Charter Chest*) 151

153. Contract between Hugh, third Earl of Eglingtoun, Dame Marioun Seytoun, Countess Dowager of Eglingtoun, his mother, and Agnes Montgomery, his sister, on the one part, and Thomas Kennedy of Bargany, and Thomas his son and heir, on the other part, for the marriage of the said Thomas Kennedy younger, and Agnes Montgomery, before the term of Whitsunday next following. Edinburgh, 12th January 1555 153

154. Bond of Manrent by James Dunlop of that Ilk, to Hugh, third Earl of Eglintoun. Polnen, 1st August 1559 155

155. Contract between Robert Lord Boyde and Neil Mungumrye of Langschaw, for themselves and their respective friends, etc., whereby the latter became bound, for himself and his friends, to remit to the former and his friends, the slaughter of Sir Neil Mungumry, his father, upon their publicly asking forgiveness for the same in the kirk, or at the market cross at Irvin, upon payment of certain sums. Glasgow, 10th February 1560. (*Orig. Kilmarnock or Boyd Charter Chest*) 155

156. Obligation by Neil Mungumrie of Langshaw, to Robert Lord Boyde, Charles Mowate, Robert Boyde and William Blair, renouncing the part of the preceding contract, obliging the said Charles, Robert, and William, to depart to France at Neil's pleasure. February 1560. (*Orig. ibid.*) 158

157. Letters of Slains by Neill Montgomery of Langschaw, and his kin, to Robert Lord Boyd and others, for the slaughter of Sir Neill Montgomery of Langschaw, Knight. [1560]. (*Orig. ibid.*) 158

158. Revocation by Hugh, third Earl of Eglintoun, before Mathew Campbell of Loudoun,

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Sheriff of Air and others, of charters, alienations, and dispositions granted by him during his minority. Air, 30th September 1561 159

159. Collation by Pope Paul III. of John Howstowne, as successor to John Sprewle, to a canonry in the Cathedral of Glasgow. Given at St. Peter's at Rome, 26th June 1547 162

160. Process of Divorce before John Houstoune, Canon of the Metropolitan Church of Glasgow, and judge and commissary-depute of John (Hamilton) Archbishop of St. Andrews, at the instance of Hugh, third Earl of Eglintoun, against his first countess, Joanna Hammiltone. The process commenced 2nd April, and terminated 30th May 1562. The judge pronounced sentence to the effect, that the marriage contracted de facto, but not de jure, between the said Earl and Lady Joanna Hammiltoune, was, from the first, null and of no force, on account of the impediment of consanguinity: and that these pretended spouses should be divorced, and a divorce celebrated between them; and that if another canonical impediment prevented not, they should each be at liberty to marry others; and that whatever the one had given to the other, by way of dowry or gift on account of the marriage, should be restored. Upon which deliverance the said Earl took instruments. Done within the Metropolitan Church of Glasgow, day and year foresaid 163

161. Contract between James Duke of Chettellarault, for himself, and taking the burden on him for Jane Hammiltoun, Countess of Eglintoun, his daughter, on the one part, and Hugh, third Earl of Eglintoun, on the other part, whereby certain pecuniary arrangements are made in the prospect of a divorce being decreed between the said Earl and Countess. Edinburgh, 23rd February 1561 181

162. Decree of Divorce, pronounced by the Ministers and Elders of the Kirk of Edinburgh, of Hugh, third Earl of Eglintoun, from Jane Hamiltoun his wife, daughter of James Duke of Chatelherault. Dated 25th June 1562 183

163. Contract between George, fourth Earl of Huntlie, and others, on the one part, and Hugh, third Earl of Eglintoun, on the other part, for the marriage of the latter with Dame Agnes Drummond, Lady Lowdoun, sister (uterine) of the former, before Midsummer next following. Innerpreffre, 8th June 1562 185

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164. Notarial Instrument, attesting that the banns of marriage between Hugh, third Earl of Eglintoune, and Dame Agnes Drummond, Lady Lowden, were proclaimed on three successive Sabbaths, by Mr. Patrick Vidderow, vicar of Eglishame, in the parish church thereof, in time of Divine service, and no objection made thereto. Done in the church of Eglishame, 31st May, 7th June, and 14th June 1562..... 187

165. Notarial Instrument, attesting that the banns of marriage between Hugh, third Earl of Eglintoun, and Dame Agnes Drummond, Lady Lovdoune, were proclaimed on St. Barnabas' day, 11th June 1562, by Andrew Straithenrie, vicar of Innerpeffre and Monze, in the parish churches thereof, at the usual time of Divine service, and no objection made thereto. Done in the parish churches of Innerpeffre and Monze, 11th June 1562..... 188

166. Letters of Dispensation, directed by John [Hamilton] Archbishop of St. Andrews, commissary of the Apostolic See, to James Gordoune, Chancellor of Moray, and to John Houstoun and Archibald Craufurd, canons of Glasgow, for absolving Hugh, third Earl of Eglintoun, and Dame Agnes Drummond, his spouse, from the sentence of excommunication which they had incurred through their marriage, being related to each other in the second and third, and third and fourth, and double fourth degrees of affinity; and for dispensing with the impediments to their marriage, and legitimating their offspring. Paisley, 19th August 1562..... 189

167. Contract between Hugh, third Earl of Eglintoun, on the one part, and Robert Montgumry, brother of Thomas Montgumry of Skelmurlie, on the other part; narrating, that the said Thomas being afflicted with insanity, the said Robert had been retoured his tutor and administrator, and that he had to appear to decide with the Earl as to the ward of Thomas' lands. Glasgow, 18th August 1562..... 190

168. Copy Bond subscribed by the nobility and gentry of Kyll, Caricke, and Cuninghame, whereby they bound themselves to maintain the preaching and discipline of the Protestant religion. Air, 4th September 1562..... 192

169. Mutual Bond of Defence between Hugh, third Earl of Eglintownne, and Robert Lord Boyide; signed interchangeably by them, at Glasgow, 25th August 1563..... 193

170. Instrument of assignation by Hugh, third Earl of Eglintoune, to Robert Lord Boyde,

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of his right to the office of bailie of the canon-lands of Cwnyghame, pertaining to the canons and chapter of Glesgw. Glasgow, 25th August 1563. (*Orig. in Kilmarnock or Boyd Charter Chest*) 194

171. Last Will and Testament of Hugh, third Earl of Eglintoun, wherein, after recommending his soul to God Almighty, and his body to be buried in the kirk of Kilwyning, he appoints Dame Agnes Drummond, his spouse, his sole executrix and intromettor with his goods, etc., and leaves Hew Montgomry, his son, 'to the Quein's Maiesty, to be vsit and gouernit at hir Grace's plesour.' 1563 195

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the said Jonet the third of the whole profits thereof, during her lifetime, or contentation for the same; and to give the first begotten son of the said marriage 1000 merks; or, failing male heirs, to pay each of the females 500 merks: these sums to revert to the Earl or his heirs, in the event of the said children or their succession failing, etc. Eglintoun, 18th May 1566, 201

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184. Contract between Hew Master of Eglintoun and Robert Mur of Caldwall, whereby, on the obligation of the latter to maintain and fulfil the perpetual bonds of manrent made between his predecessors and the Earls of Eglintoun, the said Hew, superior of the lands of Thornetoun, Biggart, Litill Heychtheid, and Ramisheid, granted to him and his heirs the ward, non-entry, mails, etc., of the same. Mylnetoun in Robartoun, 9th October 1573 211

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188. Obligation by Robert Mur of Caldwell and Alexander Montgomery of Meirsyde to Hew, third Earl of Eglintoun, that the goods belonging to Matho Fleger and William Connell, in Crummok, and others, poinded by the Earl's officer, at the instance of John Fairlie in Erdoche, should be forthcoming to the Earl. Kilwyning, 29th August 1578..... 219

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CHARTERS AND FAMILY PAPERS.

CHARTER by William of Hauccestertun and Richard, his brother, John the son of Alan of Mundegumeri, Vincent the son of Robert Auenel, and Nicholas the son of Roland, to the Abbey of Melrose, of lands in Inuerwich. [Circa 1170.]

1. OMNIBUS sancte matris ecclesie filiis, tam presentibus quam futuris, Willelmus de Hauccestertun, et Ricardus de Hauccestertun, frater eius, et Johannes filius Alani de Mundegumeri, et Vincencius filius Roberti Auenel, et Nicholaus filius Rolandi, Salutem: Sciatis nos dedisse et concessisse, et hac presenti carta nostra confirmasse, Deo et Ecclesie Sancte Marie de Melros, et monachis ibidem Deo seruientibus, pro salute animarum nostrarum, et pro animabus patrum et matrum, et omnium antecessorum et successorum n[ostrorum], pro anima Walteri filii Alani, domini nostri, et pro animabus omnium fidelium defunctorum, quamdam terram in territorio de Inuerwich, sicut fossatum circuit eamdem [terram a] fratribus eorum factum, in liberam, et puram, et perpetuam elemosinam, solutam et quietam ab omni terreno seruicio et exaccione seculari; sicut aliquam elemosinam lib[erius, quie]cius, et honorificencius tenent in terra Regis Scotie: Et nos, et heredes nostri, warantizabimus predictis monachis eamdem terram contra omnes homines imperpetuum: Preterea, dimisimus eisdem predictis monachis communem pasturam eiusdem ville de Inuerewich, de profunda uia ad capud de Manineth, ad diuisas illas que sunt inter nos et monachos de Kelcou; scilicet, ex transuerso de Monnesclaht usque in Witsclad, et de Witsclad usque in Edwardescloch, et de Edwardescloch usque in Botkil, et sic sursum per eandem aquam, scilicet Botkil, per rectas diuisas de Inuerwich usque ad bercariam predictorum monachorum, et de illa bercaria usque ad profundam uiam prenominatam: Hanc predictam pasturam, cum aisiamentis infra predictas diuisas, scilicet, in petariis, in turbariis, in bruariis, tenebunt predicti monachi de nobis et heredibus nostris, in feudam firmam inperpetuum, libere et quiete, et solute de omnibus seruiciis et terrenis exaccionibus: Reddendo inde annuatim nobis et heredibus nostris, decem solidos ad Pentecosten: Hiis testibus, Willelmo Valensi de Staintun, Nigello, persona de Ruthirglen, Magistro Willelmo de Erchel-

dun, Willelmo Cli ford, Roberto Auenel, Roberto filio Gregorii, Willelmo Lefranceis, Ricardo Letaillur, Waltero Ho gilli et multis aliis.

CHARTER by Marjory of Mundegumry to John Kenedy, of her lands in the knights fee of Castlys.
[Before 27th August 1362.]

2. OMNIBUS hanc cartam visuris vel audituris, Marioria de Mundegumry, consanguinea et heres Christiane de Mundgumry, Salutem in Domino sempiternam: Noueritis quod ego, in mea pura et legittima viduitate, non vi nec metu conducta, set pura et sponț[an]ea mea voluntate, dedi ac vendicionis titulo concessi ac vendidi, et hac presenti carta mea confirmaui, necnon dono et concedo, titulo quo supra, et per eandem cartam meam confirmo Johanni Kenedy hereditarie, omnes terras que me hereditario iure contingunt infra feodum militare de Castlys, in comitatu de Carric, infra vicecomitatum de Are; et totum ius et clameum quod habeo, uel habere potero, pro me uel meis heredibus, in toto uel in parte, ipsius feodi militaris de Castlys: Tenendas et habendas eidem Johanni, heredibus et assignatis suis, de superioribus dominis feodi supradicti qui pro tempore fuerint, in feodo et hereditate, per omnes rectas et antiquas metas et diuisas suas, adeo libere, quiete, plenarie, integre et honorifice, in boscis, planis, pratis, pascuis, et pasturis, moris, maresiis, viis, semitis, aquis, stagnis, multuris, molendinis et eorum sequelis, aucupacionibus, piscacionibus et venacionibus, terris cultis et non cultis, et cum omnibus aliis libertatibus, commoditatibus, aysiamentis, et iustis pertinenciis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad dictas terras et feodum militare spectantibus seu iuste spectare valentibus in futurum; sicut ego Marioria predicta, aut antecessores mei quicunque, quibuscunque temporibus retroactis, dictas terras aut dictum feodum militare de Castlys cum pertinenciis, liberius tenui seu possedi, tenuerunt seu possiderunt: Faciendo superioribus dominis predictarum terrarum, seu supradicti feodi militaris, predictus Johannes, heredes sui, et sui assignati, seruicio de predictis terris et de predicto feodo militari de Castlys, cum pertinenciis, debito et consueto: Et ego Marioria predicta et heredes mei, omnes predictas terras de Castlys cum pertinenciis, eidem Johanni Kenedy, heredibus suis et suis assignatis, contra omnes homines et feminas, varantizabimus, acquietabimus, et inperpetuum defendemus: In cuius rei testimonium presenti carte mee sigillum meum est appensum; et ad maiorem huius rei securitatem et euidenciam pleniorem, sigilla communia monasterii de Crosseragwell et burgi de Are, vna cum sigillis Thome Flemyng, Comitis de Wygtoun, et Domini Duncani Wallays, militis, tunc vicecomitis de Are, presenti carte mee, gracia testimonii, apponi procuraui: Testibus venerabilibus in Christo patribus, Johanne Dei gracia Abbate de Pasleto, et Roberto Abbate de Kyllewynnyne, Alano Senescallo, Malcolmo Sawelsone, Willelmo de Echlys, Patricio filio Symonis, Finlaio de Keris, cum multis aliis.

[Dorso] — Carta alienacionis Mariorie Mungumbry de Cassillis facta Johanni Kennedy de Dunnowr.

CHARTER by King David II. confirming Charters by Marjory of Mundegumry senior, and Marjory of Mundegumbry her cousin, 27th August 1362.

3. DAUID Dei gracia Rex Scottorum, Omnibus probis hominibus tocius terre sue, Salutem: Sciatis nos approbasse, ratificasse, et hac presenti carta nostra confirmasse donacionem illam et concessionem, necnon et vendicionem, quas Marioria de Mungumbry senior, et Marioria de Mungumbry, filia Johannis de Mungumbry, consanguinea predicte Mariorie, fecerunt Johanni Kenedy, dilecto et fideli nostro, de terris de Castlys, cum pertinenciis, in comitatu de Carric infra vicecomitatum de Are: Tenendis et habendis eidem Johanni Kenedy et heredibus suis, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis, et iustis pertinenciis suis quibuscunque, ad dictas terras spectantibus, seu quoquo modo spectare iuste valentibus; adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut carte dictarum Mariorie et Mariorie eidem Johanni Kenedy inde confecte, in se plenius iuste continent et proportant: Saluo seruicio nostro, eciam et cuiuslibet iure saluo: In cuius rei testimonium presenti carte nostre confirmacionis sigillum nostrum precepimus apponi: Testibus venerabilibus in Christo patribus, Willelmo Episcopo Sancti Andree, et Patricio Episcopo Brechinensi, Cancellario nostro, Roberto Senescallo Scocie, Comite de Stratherne, nepote nostro, Willelmo Comite de Douglas, Roberto de Erskyne, Camerario nostro, Waltero de Halyburtoun, et Johanne del Ile, militibus; apud Edinburgh, xxvii° die Augusti, anno regni nostri tricesimo quarto.

CHARTER by Robert, Steward of Scotland, to Hugh of Eglintoun, Knight, and Egidia, his spouse, of a stone of wax yearly from the lands of Monfodevrry [1358—1370].

4. OMNIBUS hanc cartam visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne, Salutem in Domino sempiternam: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Domino Hugoni de Eglintoun, militi, dilecto et fideli nostro, ac Domine Egidie, sponse sue, dilecte sorori nostre, eorum alteri diucius viuenti, et ipsius Domini Hugonis heredibus et assignatis, vnam petram cere annui redditus nobis debitam de terra de Monfodevrry, infra baroniam de Conyngham, vicecomitatus de Are, absque aliquo retinemento imperpetuum, in omnibus et per omnia hereditarie possidendam; vna cum potestate plenaria pro dicta petra cere, annis singulis debite, compellendi: In cuius rei testimonium presenti carte nostre appositum est sigillum nostrum: Testibus, Dominis Johanne Senescallo, fratre nostro, Roberto de Erskyn, Johanne de Lindesay, Johanne de Insula, militibus, Andrea de Conyngham, Thoma Symple, Johanne Tayt, et multis aliis.

CHARTER by Thomas Stewart, Earl of Angouss, to Hugh of Eglyntoun, Knight, of the land of Ormdale, 25th May 1360.

5. OMNIBUS hanc cartam visuris vel audituris, Thomas Senescallus, Comes de Angouss, Salutem in

Domino sempiternam: Nouerit vniuersitas vestra nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli nostro domino Hugoni de Eglyntoun militi, totam terram nostram de Ormdale cum pertinenciis, in dominio de Cowalle, infra vicecomitatum Ergadie: Tenendam et habendam dicto Domino Hugoni, et heredibus suis, et suis assignatis, de nobis et heredibus nostris, de assignatis suis nobis et heredibus nostris acceptabilibus, totam terram predictam cum pertinenciis, per omnes suas rectas metas et diuisas, libere, quiete, plenarie, honorifice, bene et in pace, cum dominio liberetenencium et eorum seruiciis, in molendinis et eorum sequelis, et cum omnibus libertatibus, commoditatibus et aysiamentis, tam non nominatis quam nominatis, ad dictam terram cum pertinenciis spectantibus, seu in futuro spectare valentibus quoquo modo: Faciendo inde annuatim dictus Dominus Hugo, heredes sui, vel sui assignati, capitali domino feodi predicti, seruicium pro dicta terra debitum et consuetum; et reddendo inde annuatim nobis et heredibus nostris dictus Dominus Hugo, heredes sui vel sui assignati, apud dictam terram de Ormdale, nomine recognicionis huius donacionis nostre, in festo Natiuitatis Beati Johannis Baptiste, vnum par calcarium deauratorum, vel quadraginta denarios argenti, si super predictam terram petantur, pro omnibus aliis seruiciis, exaccionibus secularibus vel demandis, que de dicta terra cum pertinenciis, per nos uel heredes nostros, exigi poterunt aut requiri: Et nos dictus Thomas et heredes nostri, totam predictam terram cum pertinenciis, in omnibus et per omnia ut prescriptum est, dicto Domino Hugoni et heredibus suis, vel suis assignatis, contra omnes mortales warantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonum sigillum nostrum presenti carte nostre fecimus apponi: Datum apud Edynburgh, vicesimo quinto die Maii, anno Domini millesimo CCC^mo^ sexagesimo: Hiis testibus, Domino Roberto Senescallo Scocie, Comite de Stratherne, Domino Willelmo Comite de Douglas, Dominis Roberto de Irskyn, et Johanne de Lyle, militibus, Alexandro de Mongomry, Mauricio de Convaille, Alano de Lawedre, et multis aliis.

CHARTER by John of Moray, Lord of Hormishocis, to Hugh of Eglynstoun, and Egidia of Lyndesay, of the lands of Hormishocis, [17.] January 1361.

6. OMNIBUS hanc cartam visuris vel audituris, Johannes de Morauia, Dominus Dominii de Hormishocis, Salutem in Domino sempiternam: Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse dilectis meis, Domino Hugoni de Eglynstoun, et Domine Egedie de Lyndesay, totam terram meam de Hormishocis, cum omnibus suis pertinenciis; vna cum omni seruicio de Dollywra, de Potertovn, et de Wagrav, dicto dominio de jure debito et consueto: Tenendam et habendam dicto Domino Hugoni, et predicte Domine Egidie, seu eorum diucius viuenti, ac heredibus dicti Domini Hugonis legitime procreatis seu procreandis, vel suis assignatis, libere, quicte, bene, et in pace, cum omnibus libertatibus, commoditatibus et aysiamentis dicte terre spectantibus, seu de cetero aliquo modo spectare valentibus: Faciendo inde dictus Dominus Hugo, et heredes sui, vel sui assignati, capitali domino terre predicte, seruitium de

dicta terra debitum et consuetum: In cuius rei testimonium sigillum meum presentibus est appensum: Et quod sigillum meum minus est [cognitum], sigillum domini mei, Domini Roberti Senescalli Scocie, ac Comitis de Stratherne, hanc meam cartam pre-sentibus apponi procuraui: Datum apud Ardrossan, die d[ecimo] sexto ante festum purificacionis beate Virginis [Marie], anno Domini M° CCC° sexagesimo primo: Hiis testibus, Domino Roberto, Dei gracia Abbate monasterii de Kylwenyn, Domino Willelmo de Passeleto perpetuo Vicario ecclesie de Kylbreny, Hugone de Raht, Alano de Mvnfode, Johanne de Crauford de Badelay, et multis aliis.

Seal: A Cheveron between a Fleur de Lis and a Mullet in the dexter and sinister chief points, and a Mullet in base. Legend: 'S. Johs. 'de Moravia.'

CHARTER by Robert, Steward of Scotland, to Alexander of Blare, of an annualrent from the lands of Stane and Buretres, 10th December 1363.

7. OMNIBUS hanc cartam visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne, ac Dominus de Conynghame, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Alexandro de Blare, dilecto et fideli nostro, illum annuum redditum quatuor celdrarum farrine auene, et vnius libre piperis, quem Alanus le Suche, et Willelmus de Ferrariis, milites, recipere consueuerunt de terra del Stane et de Buretres, que nunc sunt Andree Fraunceys, in Conynghame: Tenendum et habendum dicto Alexandro, heredibus suis vel suis assignatis inperpetuum, de nobis et heredibus nostris, in feodo et hereditate, libere, quiete, plenarie et honorifice: Reddendo inde nobis et heredibus nostris, dictus Alexander et heredes sui, vel sui assignati, vnum par calcarium deauratorum, vel duodecim denarios argenti, annuatim, si petantur, ad festum Pentecostis, pro omni alio seruicio seculari, exaccione, seu demanda: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Hiis testibus, venerabili in Christo patre, Domino Willelmo, Dei gracia Abbate monasterii de Inchaffray, Domino Thoma de Fausyde, milite, Alexandro Senescallo, filio nostro, Johanne Mercer, burgense de Perth, Mauricio de Drommonde, et multis aliis; apud dictum monasterium de Inchaffray, decimo die mensis Decembris, anno Domini millesimo tricentesimo sexagesimo tercio.

TRANSUMPT before the Official of Lothian (on 28th September 1482), of Grants by Robert, Steward of Scotland, to Sir Hugh of Eglintoun, of the offices of Baillie of Cunynghame and Chamberlain of Irwyne, and of other writs relating to the same offices, 1366–1448.

8. IN Dei Nomine, Amen: Nouerint vniuersi et singuli hoc presens publicum instrumentum transsumptum inspecturi, lecturi et audituri, quod nos, Ricardus Roberti, Rector ecclesie perochialis de Suthek, ac venerabilis et egregii viri, Domini Officialis Sanctiandree infra Archidiaconatum

Laudonie, commissarius ad vniuersitatem causarum specialiter deputatus, ad instanciam nobilis et potentis domini, Hugonis Domini Mowngumry, omnes et singulos communiter et diuisim, interesse habentes, seu habere putantes, vel quos infrascriptum tangit negocium, seu tangere poterit quomodolibet in futurum, ad comparendum coram nobis, certis die et loco inferius designatis, ad videndum et audiendum quasdam cartas, literas, euidencias, indenturas et quitancias inferius scriptas, concernentes officium Balliatus de Cunynghame, et officium Camerarie burgi de Irwyne, transsumi, transcribi et exemplari, et in publicam transsumpti formam redigi, per edictum publicum, in valuis ecclesie Beati Egidii de Edinburgh, affixum et publicatum, peremptorie citari fecimus, cum intimacione debita, vt moris est: Quibus die et loco aduenientibus, comparuit coram nobis prefatus Hugo Dominus Mowngumry, vnacum suo aduocato siue prolocutore, Domino Johanne Symontoun, presbytero, et dictas literas citatorias debite execucioni demandatas, presentauit; quibus receptis, vocatisque in eisdem contentis, et non comparentibus, prefatus Dominus Johannes Symontoun contumacias accusauit, et in penam suarum contumaciarum, dictas cartas, literas, endenturas et euidencias, judicialiter produxit et exhibuit; huiusmodi sub tenore:

(1.) Robertus Senescallus Scocie, Comes de Stratherne, Vniversis presentes literas inspecturis, Salutem: Sciatis quod hereditarie concessimus Domino Hugoni de Eglintoune officium Balliui Baronie nostre de Cunyngham, cum ductione omnium hominum habitantium in eadem, ac cum plenaria potestate omnia et singula faciendi et exercendi, que ad balliui officium in omnibus et per omnia, et ad ductionem huiusmodi, pertinere dinoscuntur: Quare omnibus dictam baroniam inhabitantibus, et ceteris quorum interest, precipimus et mandamus quatenus, in omnibus et singulis dictum officium ac ductionem predictam tangentibus, dicto Domino Hugoni, et ipsius heredibus, plenarie respondeant, pareant et intendant: In cuius rei testimonium sigillum [nostrum] est appensum, vnacum sigillo Johannis Senescalli, Domini de Kyll, primogeniti nostri, [apud Erth, xv die] Januarii, anno Domini M°. tricentesimo lx^mo^ sexto. Litera autem suprascripta sigillata erat vnico sigillo, sed tamen portabat signum vbi aliud sigillum fuerat affixum, sed obreptum. Sequitur tenor alterius litere:

(2.) Robertus Senescallus Scocie, Comes de Stratherne, Vniuersis presentes literas inspecturis, Salutem: Quia officium Balliui Baronie nostre de Cunyngham, ac officium Camerarii eiusdem, Domino Hugoni de Eglintoun, militi, dilecto fratri nostro, hereditarie concessimus; vniversitati vestre innotescimus quod nos eidem Domino Hugoni, pro labore suo in premissis officiis, et heredibus suis, per presentes concessimus tertiam partem omnium finium et exituum balliui ac camerarii curiarum futuris temporibus contingencium: Quare omnibus quorum interest mandamus et precipimus quatenus dicto Domino Hugoni, et ipsius heredibus, in premissis respondeant, pareant et intendant: In cuius rei testimonium sigillum nostrum presentibus est appensum, vnacum sigillo Johannis Senescalli, Domini de Kyle, primogeniti nostri, apud Erth, xv die

Januarii, anno Domini M^mo iii^c. lx sexto. Hec autem litera sigillata erat duobus sigillis, vt in litera predicta continebantur, vt apparuit. Sequitur tenor tercie litere:

(3.) Omnibus hoc scriptum visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne. Salutem in Domino: Quia concessimus et hereditarie donauimus nobili viro, Domino Hugoni de Eglintoun, Domino eiusdem, dilecto fratri nostro, et heredibus suis, officium Balliui Baronie de Cunyngham, vnacum officio Camerarii burgi nostri de Irwyn, ad que quidem officia nullus feodus in certo consequitur nec debetur: Noueritis nos dedisse, et per presentes concessisse eidem Domino Hugoni et heredibus suis hereditarie, tertiam partem omnium exituum et amerciamentorum in dictis curiis contingencium qualitercunque: Et hoc omnibus quorum interest, vel poterit interesse, tenore presentium innotescat: In cuius rei testimonium sigillum nostrum, vnacum sigillo Johannis Senescalli, Comitis de Carrik, Domini de Kyle et de Atholia, filii nostri primogeniti, presentem concessionem vt predicitur confirmantis et ratificantis, est appensum: Testibus, religioso viro, Domino Roberto, Dei gracia Abbate de Kylwynin, nobilibus viris, Dominis Johanne de Lindesaye, Domino de Thurstoune, Adam de Fullartoun, Domino de Corsby, militibus; Kennydy, Domino de Donhom, Johanne Wallace, Domino de Richardtoun, Thoma Sympill, Domino de Elyastoun, Johanne Graye de Estelwoude, et multis aliis. Hec autem litera sigillata erat vnico sigillo, sed tamen portabat signum vbi aliud sigillum erat affixum. Sequitur tenor quarte litere:

(4.) Omnibus hoc scriptum visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne Salutem in Domino: Quia ex certa deliberacione, pro nobis et heredibus nostris, officium Balliui Baronie nostre de Cunyngham, cum omnibus suis pertinenciis et proficuis, dilecto et fideli nostro, Domino Hugoni de Eglintoun, militi, et heredibus suis, hereditarie concessimus; vt patet per literas nostras sibi inde confectas: Et jam, ex sua sufferancia et voluntate, alium pro tempore in dicto officio assignauimus ministrare, liceat prefato Domino Hugoni, vel alicui heredum suorum, dictum officium reintrare, virtute literarum nostrarum prehabitarum, et in eodem ministrare, vt prius, nulla premunicione facienda dictum officium occupanti; non obstante virtute alicuius litere nostre habite seu habende in contrarium literarum nostrarum sibi primo inde confectarum: Et hoc omnibus quorum interest tenore presencium notificamus: In cuius rei testimonium sigillum nostrum presenti scripto fecimus apponi: Datum apud Renfrew, penultimo die mensis Maii, anno Domini M^o. tricentesimo septuagesimo. Sequitur tenore quinte litere:

(5.) Omnibus hoc scriptum visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne, Salutem in Domino: Sciatis nos dedisse, et per presentes concessisse nobili viro, Domino Hugoni de Eglintoun, militi, Domino eiusdem, dilecto fratri nostro, officium Balliui Baronie nostre de Cunyngham, vnacum officio Camerarii burgi nostri de Irwyn: Tenendum et habendum dicto Domino Hugoni [et] heredibus suis, de nobis et heredibus nostris: Dantes et concedentes eidem

Domino Hugoni [et] heredibus suis, [potestatem] curiam nostram pro eisdem, vel curias nostras, dictorum officiorum tenendi, terras nostras assedandi, firmas earundem leuandi et replegiandi, transgressores dictorum officiorum puniendi et corrigendi, et amerciamenta eorundem leuandi, vnum vel plures loco eorundem in dictis officiis substituendi; ac omnia et singula faciendi que ad huiusmodi officia pertinent, seu pertinere dinoscuntur: Ratum et gratum ac firmum habentes et habituros quicquid per dictum Dominum Hugonem, vel heredes suos, in premissis seu circa ea, necessaria fuerint, seu etiam oportuna. Cetera vero in huiusmodi carta contenta legi non poterant, propter suam caducitatem; que quidem carta sigillata erat vnico sigillo, et arma in eodem patebant. Sequitur tenor sixte litere:

(6.) Jacobus Dei gracia Rex Scotorum et Senescallus Scocie, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis nos dedisse, concessisse, et hoc presenti scripto nostro confirmasse dilecto nostro, Alexandro de Montgumry, filio primogenito dilecti consanguinei nostri, Alexandri Domini Montgumry, officium Balliui Baronie de Cunynghame cum pertinenciis; ad quod officium nullus feodus in certo-consequitur nec debetur: Quod quidem officium cum pertinenciis fuit dicti Alexandri, consanguinei nostri, hereditarie; et quod idem noster consanguineus in manus nostras, tanquam Senescalli Scocie, sursum reddidit, pureque simpliciter resignauit: Tenendum et habendum dictum officium cum pertinenciis, dicto Alexandro de Montgumry, filio dicti consanguinei nostri, et heredibus suis, de nobis, tanquam Senescallo Scocie, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine retinemento seu obstaculo quocunque: Faciendo dictus Alexander, filius, et heredes sui, seruicia et onera dicto officio incumbencia, debita et consueta: Datum sub nostro secreto sigillo apud Striueling, vltimo die mensis Januarii, anno Domini millesimo quadringentesimo quadragesimo octauo, et regni nostri duodecimo. Sequitur tenor vii litere.

(7.) Thir endenturis made at Irwyne, the sextende day of Junii, the zer of our Lorde a thousande four hundreth tuenty and fyve, betuyx worschipful lordis, Schir Jone of Mungumry, Lorde of Ardrossane, on the ta part, and Schir Robert of Conyngham, Lorde of Kylmawrys, on the tothir part, proportis and beris witnas as eftyr folowis, that is to say; at the said Schir Robert of Coningham is oblist to wed Anny of Mungumry, the dochtyr of Schir Jone of Mungumry, and to gyfe to the said Anny joyntfeftment of tuenty markis worth of his Mudir landis; And gife it hapynnys the said Schir Robert and Anny hafand sonnys of lyfe, the joyntfeftment beande of na walwe: And for his mariage and joyntfeftment, the said Schir Jone of Mungumry is oblist to gyfe to the said Schir Robert thre hundreth markis and fourty pounde; the quuhilkis sal be payt zerly fourty pounde quuhil the hale sowme be fullily payt; and in the begynnyng. tuenty pounde at Martynmes next eftir the makyng of thir letris; and at Wytsonday next thaireftir folowande, the said Schir Jone of Mungumry sal make his Witsonday of fourty poundis worth of lande, and he sal mak the malaris dettouris to the said Schir Robert, entrande to the male

of the said landis at that ilk Wytsonday; the quuhilk landis sal be the Estwode and Loychlebokside, and at the likyng of the said Schir Jone of Mungumry mar inwart landis gyfe hym likys, ilk zer to tak vp fourty pounde of tha said landis, quuhil he be fullily payt at vsuale termys as is befor said: Als it is acordit at the said Schir Robert sal joyse and browk the Balzery of Coningham, with al the profytis pertenande til it, for the terme of his lyfe; and the said Schir Robert is oblist at he sal nocht mak na ger mak the said Balzery sekirar til him, na til his ayris, in to the mentyme, na he was in to the entra of the said Balzery; the said Schir Jone of Mungumry and his ayris hafande recourse to the said Balzery eftir the dede of the said Schir Robert, in the samyn forme and effect as it was in the tyme of the makyng of thir euidentys: Als, because of kynrend thar behufys to be a purchas; and gife it may be gotyn in Scotlande, the said Schir Jone of Mungumry sal pay tharfor, and gife it be outwyth, it sal be gotyn on bath thair costys: And gyfe it hapynnys the said Schir Jone of Mungumry nocht to ga in hostage for the Kyng, he sal hald the said Anny his dochtir, and a damysale with hir, and Schir Robertis resonabyl repayr, for twa zer in met and drynk, and buch of court, with sex horssis fyndyng at the liking of the said Schir Robert; and gife he gais in hostage, the said Schir Robert sal se for his wyfe hymself: Als, it is acordit at the said Schir Robert sal nocht enter in the said Balzery quuhil the said Anny and he be maryit: Als, it is acordyt at gife ony of thai twa, Schir Robert or Anny, decessis or thai be maryit, the said Schir Robert or his ayris sal restor it that he has tane vp of the said mariage, in the samyn tyme, at the Martynmes and the Wytsonday next folowande, to the said Schir Jone of Mungumry or his ayris: And til al and syndry thir poyntis lelily and trewly to be kepyt, but frawde or gyle, athir of the said lordis tyl athir has gyfyn the fayth of thair bodyis: In the wytnas of the quuhilkis, and to the mar sekyrnas, entirchangiabilly has set to thair selis, yher, day, and place befor wrytyn. Sequitur tenor vltime litere.

(8.) Be it kend til al men be thir present letteris, me Robert of Conygham, knycht, Lord of Kylmawris, for til haff ressawit and thankfully pait to me, throw the handis of ane mychti and a reuerende lord, Alexsander Mungumry, Lord of Ardrossan, thre hundereth markis and fourty pwndis, be cause of mariage of Angnes of Mungumry, his sister, as it proportis in endenturis made betwex his fader, Sir Jon of Mungumry, and me the said Robert of Conygham; of the quilk thre hundereth merkis and fourty pwndis, I the said Robert of Conygham haldis me weil pait and fullily asythit of the said sowm, and the forsaid Alexsander Mungumry, Lord of Ardrossan, his ayeris, executouris, and assigneis, be thir my present letteris, qwitclamis for euirmar. In the witnes of the qwilk thyng I haff howngyne to my seill at Fynlawston, the twenty day of Feueryher, the yher of our Lord athusand four hundereth and therty and twa yher.

Post quarumquidem literarum presentacionem et recepcionem, dictos citatos vocatos et non comparentes, merito prout erant reputauimus contumaces, et in penam suarum contumaciarum

predictas literas ad manus recipimus, vidimus, et diligenter examinauimus: Idcirco, sepedictas literas per notarium publicum subscriptum transsumi et exemplari. et in publicam transsumpti formam redegi, mandauimus et fecimus; volentes et decernentes quod presenti instrumento, siue transsumpto publico, tam in judicio quam extra. vbique locorum de cetero adhibeatur plena fides. et tanta qualis et quanta ipsis literis originalibus superius de verbo ad verbum insertis si in medium producerentur: In quorum omnium et singulorum fidem et testimonium premissorum. sigillum officii dicti domini officialis, vnacum subscripcione notarii publici subscripti, jussimus et fecimus appensione communiri: Datum et actum in ecclesia Beati Egidii de Edinburgh, loco consistoriali eiusdem solito et consueto, xxviii° die mensis Septembris, anno Domini millesimo quadringentesimo octuagesimo secundo, indictione decima quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti, diuina prouidencia pape quarti, anno duodecimo: Presentibus ibidem venerabilibus et discretis viris, Magistris Thoma Mowngumry, Rectore de Eglishame, Dauid Boys, Johanne Fingud, prebendariis dicte ecclesie de Edinburgh, et Roberto Spethy, notario publico, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Georgeus Cotis, presbyter Sanctiandree diocesis, publicus autoritate imperiali notarius, et ipsius domini officialis curie scriba. Quia. etc.

Georgeus Cotis.

Charter by King Robert II. to Hugh of Eglyngtoun, Knight, of the lands of Gyffeyn, 4th May 1371.

9. Robertus Dei gracia Rex Scottorum, Omnibus probis hominibus tocius terre sue, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse, dilecto et fideli nostro, Hugoni de Eglyngtoun, militi, totam terram de Gyffeyn, cum pertinenciis, in baronia de Kyle Senescalli, infra vicecomitatum de Are; que racione forisfacture nos contingit: Tenendam et habendam dicto Hugoni et heredibus suis, et suis assignatis, de nobis et heredibus nostris, Senescallis Scocie, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque, ad dictam terram spectantibus, seu quoquo modo iuste spectare valentibus infuturum; libere, quiete, plenarie, integre, bene, et in pace: Faciendo nobis et heredibus nostris, dicti Hugo, heredes et assignati sui, seruicia de predicta terra debita et consueta: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus, venerabilibus in Christo patribus, Willelmo et Patricio, Sancti Andree et Brechinensis ecclesiarum Episcopis, Johanne primogenito nostro. Comite de Carryk, et Senescallo Scocie, Thoma Comite de Marr, Willelmo Comite de Douglas, consanguineis nostris; Roberto Comite de Meneteth, filio nostro, Johanne de Carryk, Canonico Glasguensi, Cancellario nostro, Alexandro de Lyndesay, et Roberto de Erskyne, militibus, consanguineis nostris; apud Edynburgh, quarto die Maii, anno regni nostri primo.

CHARTER by King Robert II. to Hugh of Eglyntoun, Knight, of the land of Allirtoun, 5th May 1371.

10. ROBERTUS Dei gracia Rex Scottorum, Omnibus etc., Sciatis nos dedisse, etc., dilecto et fideli nostro, Hugoni de Eglyntoun, militi, totam terram de Allirtoun, cum pertinenciis, in baronia de Kilbryd, infra vicecomitatum de Lanark, que nos racione forisfacture contingit: Tenendam et habendam dicto Hugoni, et heredibus suis, de nobis et heredibus nostris, ac de aliis capitalibus dominis feodi dicte terre, si qui sint, in feodo et hereditate etc., pro seruicio inde debito et consueto: In cuius rei etc.: Testibus etc., apud Edynburgh, quinto die Maii, anno regni nostri primo.

CHARTER by King Robert II. to Hugh of Eglyntoun, Knight, of the land of Bodyngtoun, etc., 6th May 1371.

11. ROBERTUS Dei gracia Rex Scottorum, Omnibus etc., Sciatis nos dedisse, etc., dilecto et fideli nostro, Hugoni de Eglyntoun, militi, terram de Bodyngtoun, et annuum redditum quatuor marcarum et octo solidorum exeuntem de terris de Westhall, cum pertinenciis, in baronia de Rathew, infra vicecomitatum de Edynburgh; que quidem terra et redditus fuerunt Roberti de Erskyne, militis, quamque et quem ipse Robertus nobis sursum reddidit et resignauit: Tenendas et habendas dicto Hugoni, et heredibus suis, de nobis et heredibus nostris, Senescallis Scocie, pro seruicio inde debito et consueto: In cuius rei etc.; Testibus etc., apud Edynburgh, sexto die Maii, anno regni nostri primo.

CHARTER of CONFIRMATION by King Robert II., of a grant by Hugh of Eglyntoun, Knight, to Alan of Lawedre, of the land of Norton, 13th June 1371.

12. ROBERTUS Dei gracia Rex Scottorum, Omnibus etc., Sciatis nos approbasse, etc., donacionem illam et concessionem quam dilectus et fidelis noster, Hugo de Eglyntoun, miles, fecit et concessit dilecto et fideli nostro, Alano de Lawedre, pro homagio et seruicio suo, de terra de Norton, cum pertinenciis, in baronia de Rothew, infra vicecomitatum de Edynburgh: Tenendam et habendam eidem Alano, cum omnibus et singulis, etc., adeo libere, etc., in omnibus et per omnia, sicut carta dicti Hugonis eidem Alano exinde confecta in se iuste continet et proportat; saluo seruicio nostro: In cuius rei, etc., Testibus etc., apud Sanctum Andream, tercio decimo die Junii, anno regni nostri primo.

CHARTER, King Robert II. to Hugh of Eglyntoun, Knight, and Egidia, his spouse, of the land of Bonyngtoun, etc., 28th June 1372.

13. ROBERTUS Dei gracia, etc., Omnibus etc., Sciatis nos dedisse, etc., dilecto fratri nostro, Hugoni

de Eglyntoun, militi, totam terram de Bonyngtoun, et medietatem terre de Nortoun, cum dominio terrarum de Westhall, et del Cotraw, ac quatuor marcas et octo solidos sterlingorum annui redditus, debiti siue exeuntis de predictis terris del Westhall et del Cotraw, cum pertinenciis, infra vicecomitatum de Edynburgh; de quibus terris, vna cum dominio et annuo redditu, cum pertinenciis, dictus Hugo aliter, dum eramus Senescallus Scocie, fuerat infeodatus: Tenendas et habendas dicto Hugoni, et carissime sorori nostre, Egydie de Lyndisay, sponse sue, et eorum alteri diucius viuenti, heredibusque inter ipsos legittime procreatis seu procreandis, quibus forte deficientibus, heredibus dicti Hugoni, et suis assignatis, de nobis et heredibus nostris, Senescallis Scocie, in feodo et hereditate, per omnes rectas metas et diuisas suas, libere, etc., cum omnibus, etc.: Faciendo inde seruicia debita et consueta: Nos vero et heredes nostri, Senescalli Scocie, dictas terras, vna cum annuo redditu et dominio predictis, cum pertinenciis, predictis Hugoni et Egydie, sponse sue, ac heredibus seu assignatis suis, et ipsis deficientibus, heredibus et assignatis predicti Hugonis, contra omnes homines et feminas warantizabimus, acquitabimus, et inperpetuum defendemus: In cuius rei, etc., Testibus, etc., apud Perth, xxviii° die Junii anno regni nostri secundo.

CHARTER by King Robert II. to Hugh of Eglyntoun, Knight, of all the possessions of the deceased Michael of Lardener, 11th November 1373.

14. ROBERTUS etc., Omnibus etc., Sciatis nos dedisse, etc., dilecto fratri nostro, Hugoni de Eglyntoun, militi, omnes et singulas terras, redditus, et officia, cum pertinenciis, tam infra burgos quam alibi infra regnum nostrum, que et qui fuerunt quondam Michaelis de Lardener, patris quondam Roberti et Michaelis de Lardner, vltimo defunctorum, et nos contingunt racione escaete, pro eo quod dictus quondam Michael, pater, ad pacem et fidem Regis Anglie diem clausit extremum: Tenendas et habendas dicto Hugoni, et heredibus suis, et suis assignatis, de nobis et heredibus nostris, et de aliis capitalibus dominis feodi dictarum terrarum, officiorum et reddituum, si qui sint, in feodo et hereditate, adeo libere et quiete, in omnibus et per omnia, sicut dictus quondam Michael, pater, dictas terras, officia, et redditus, liberius et quiecius iuste tenuit seu possedit: Faciendo inde seruicia debita et consueta: In cuius rei etc., Testibus etc., apud Are, xi^mo^ die Nouembris, anno regni nostri tercio.

CHARTER by King Robert II. to Hugh of Eglyntoun, Knight, and Egidia his spouse, of the lands of Lochlebogsyd, 12th October 1374.

15. ROBERTUS Dei gracia Rex Scottorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo fratri nostro, Hugoni de Eglyntoun, militi, terras de Lochlebogsyd, cum pertinenciis, infra baroniam nostram de Raynfrev: Tenendas et habendas dicto Hugoni, et Egidie, sponse

sue, sorori nostre carissime, eorumque alteri diucius viuenti, et heredibus dicti Hugonis, vel suis assignatis, de nobis et heredibus nostris, Senescallis Scocie, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis, et iustis pertinenciis quibuscunque ad dictas terras spectantibus, seu quoquo modo iuste spectare valentibus in futurum, libere, quiete, plenarie, integre, bene et in pace: Reddendo inde annuatim, ad sustentacionem vnius capellani diuina perpetuo celebraturi in ecclesia Cathedrali Glasguensi, decem mercas sterlingorum, ad terminos Pentecostes et Sancti Martini in hyeme, per porciones equales: In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum: Testibus, venerabili in Christo patre, Willelmo Episcopo Sancti Andree, Johanne primogenito nostro, Comite de Carryk, Senescallo Scocie, Roberto Comite de Fyff et de Meneteth, filio nostro dilecto, Willelmo Comite de Douglas, Johanne de Carryk, Cancellario nostro, Jacobo de Lyndesay, nepote nostro, et Roberto de Erskyne, militibus; apud Perth, duodecimo die mensis Octobris, anno regni nostri quarto.

CHARTER of CONFIRMATION by King Robert II., of a wadset by Hugh of Avldistoun to Hugh of Eglyntoun, Knight, of the lands of Cambusbaroun, etc., 28th March 1375.

16. ROBERTUS Dei gracia Rex Scottorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos approbasse, ratificasse, et hac presenti carta nostra confirmasse impignoracionem illam quam Hugo de Avldistoun fecit carissimo fratri nostro, Hugoni de Eglyntoun, militi, de terris de Cambusbaroun, Innerhawlovne, et de Schiphalch, cum pertinenciis, infra vicecomitatum de Struelyne: Tenendis et habendis dicto Hugoni, heredibus suis et suis assignatis, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis, et iustis pertinenciis quibuscunque ad dictas terras spectantibus, seu quoquo modo iuste spectare valentibus infuturum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut litere siue indenture inter predictas partes exinde confecte in se iuste continent et proportant: Saluo seruicio nostro: In cuius rei testimonium presenti carte confirmacionis nostre nostrum precipimus apponi sigillum: Testibus, venerabili in Christo patre, Willelmo Episcopo Sancti Andree, Johanne primogenito nostro, Comite de Carryk, Senescallo Scocie, Roberto Comite de Fyff et de Meneteth, filio nostro dilecto, Willelmo Comite de Douglas, Johanne de Carryk, Cancellario nostro, Jacobo de Lyndesay nepote nostro, et Roberto de Erskyne militibus; apud Dunfermelyne, vicesimo octauo die Marcii, anno regni nostri quinto.

CHARTER of CONFIRMATION by King Robert II., of an Indenture (dated 21st March 1374), between Sir Hugh of Eglyntoun, Knight, and Hugh of Avldistoun, 10th April 1375.

17. ROBERTUS etc., Omnibus etc.: Sciatis nos quasdam conuenciones factas inter carissimum

fratrem nostrum, Hugonem de Eglyntoun, militem, ex parte vna, et Hugonem de Avldistoun, ex altera, per certas indenturas nobis exhibitas et ostensas, et de mandato nostro visas, lectas, et diligenter examinatas, de verbo ad verbum intellexisse, sub hac forma. Anno Domini millesimo CCC^mo^ septuagesimo quarto; Hec indentura facta apud Ardrossan, xxi^mo^ die Marcii, inter nobilem virum, Dominum Hugonem de Eglyntoun, militem, ex parte vna, et Hugonem de Avldistoun, ex altera, testatur, quod dictus Hugo de Avldistoun tenetur obligatus dicto Domini Hugoni de Eglyntoun, militi, heredibus suis, vel suis assignatis, in octoginta libris sterlingorum, quas ab eodem Domino Hugone, in sua magna necessitate, recepit, et in diuersis suis expensis et vxoris sue, pro suo libero arbitrio et voluntate, expendit; pro qua quidem summa pecunie dictus Hugo de Avldistoun assedat, et pro ipso et heredibus suis impignorat, omnes terras de Cambusbaroun, de Inraloun, et de Schephalch, in vicecomitatu de Striuelyne, libere et quiete, cum omnibus justis suis pertinenciis ad dictas terras spectantibus, seu quouis modo infuturum spectare valentibus, predicto Domino Hugoni, heredibus suis, vel suis assignatis, quousque predictus Hugo, vel heredes sui, in vno die Sancti Petri qui dicitur ad uincula, in villa de Glasgv, sexdecim saccos, sexdecim petros lane, bone et sufficientis marchandis, sine kot, gar, aut vili vellere predicto domino Hugoni, heredibus suis, vel suis assignatis, persoluet vel persoluent; Eciam dictus Hugo de Avldistoun vult et per presentes concedit, quod quicquid dictus dominus Hugo, heredes sui vel assignati, in medio tempore, de firmis vel fructibus earundem terrarum leuauerit vel leuauerint, libere habeat aut habeant, et quod non computetur in sortem solutionis lane predicte, sed predicto Domino Hugoni, heredibus suis, vel suis assignatis, libere dat, pro suis multis beneficiis et auxiliis sibi antea prestitis; Et si contingat dictum Hugonem de Avldistoun, vel heredes suos, aut aliquos vel aliquem nomine eorum, contra hanc assedacionem seu impignoracionem temere deuenire, questionem mouere, aut litem proponere, contra dictum Dominum Hugonem, heredes suos seu assignatos, de dictis terris, predicta lana vt predicitur non soluta, predictus Hugo se obligat, heredes suos seu assignatos, in quadraginta solidis sterlingorum fabrice ecclesie Glasguensis soluendis, nomine pene, et in quadraginta libris sterlingorum predicto Domino Hugoni, heredibus suis, vel suis assignatis, nomine dampnorum, expensarum, et interesse, ante ingressum alicuius litis per ipsum, aut heredes suos, fore soluendis; presenti scripto nihilominus vt prius in suo robore duraturo: et quod terre predicte, cum omnibus justis suis pertinenciis, in manibus dicti domini Hugonis, heredum suorum seu assignatorum permaneant, donec summa predicta predicto Domino Hugoni, heredibus suis seu assignatis, sit plenarie persoluta, tam de quadraginta libris antedictis, si contingat dictum Hugonem, aut aliquem nomine suo, vel heredum suorum, erga dictum Dominum Hugonem, heredes suos seu assignatos, questionem de dictis terris et fructibus earundem mouere, aut litem proponere, vt predicitur, quam de debito principali; et hoc in omnibus per dictum Hugonem, aut per heredes suos, vt predicitur, persoluto, terre predicte ad dictum Hugonem vel heredes suos, a dicto domino Hugone, heredibus suis vel assignatis, integre et plenarie reuertentur; In cuius rei testimonium parti vero huius indenture penes pre-

dictum Dominum Hugonem remanenti, sigillum Hugonis de Auldistoun predicti est appensum; et quia sigillum suum pluribus est incognitum, sigillum nobilis viri et potentis domini, Jacobi de Lyndesay, militis, apponi procurauit; parti vero indenture penes predictum Hugonem de Auldistoun remanenti, sigillum dicti Domini Hugonis est appensum, die, loco, et anno supradictis: Quas quidem conuenciones etc., in omnibus etc., approbamus, ratificamus, et pro nobis et nostris heredibus confirmamus; Saluo seruicio nostro: In cuius rei, etc., Testibus, etc., apud Perth, decimo die Aprilis, anno regni nostri quinto.

GRANT by King Robert II. to Hugh of Eglyntoun, Knight, of 550 merks from the casualties due to the King, on the south side of the Water of Forth, 17th March 1375.

18. ROBERTUS Dei gracia Rex Scottorum, Camerario nostro, ceterisque ministris nostris qui pro tempore fuerint, Salutem: Cum teneamur carissimo fratri nostro, Hugoni de Eglyngtoun, militi, in quingentis quinquaginta mercis sterlingorum, in complementum solucionis illarum septingentarum mercarum sterlingorum in quibus sibi alia tenebamur ex causa; Noueritis quod nos eidem fratri nostro assignamus et concedimus, per presentes, omnes et singulas wardas, necnon releuia et maritagia, nos jure regio contingentes et contingencia, ex parte australi aque de Forth, ad eorum verum valorem, prout inter ipsum fratrem nostrum, et dictum Camerarium nostrum, qui pro tempore fuerit, de ipso eorum valore poterit conueniri; quousque sibi satisfactum fuerit de ipsa summa quingentarum quinquaginta mercarum, qua cicius leuari et percipi poterit de wardis, releuiis et maritagiis supradictis: Et in casu quo dicte warde, releuia et maritagia, aliquo anno antequam sibi satisfactum fuerit de summa predicta quingentarum quinquaginta mercarum valere non poterunt centum mercas in vero valore, idem Camerarius noster in Scaccario nostro, sequenti imprimis anno, tenebitur sibi, ex parte nostra, soluere residuum ipsius summe centum mercarum omni anno, quousque sibi fuerit satisfactum de ipsa summa quingentarum quinquaginta mercarum vt supra: Et ideo vobis et cuilibet vestrum, ac aliis fidelibus nostris, quorum interest aut poterit interesse, damus tenore presencium firmiter in mandatis, quod [dicto] fratri nostro, heredibus, assignatis et executoribus suis, de predictis wardis, releuiis et maritagiis, iuxta formam concessionis et assignacionis mercarum predictarum, respondeatis ac faciatis ab aliis, prout ad vos et vestrum quemlibet pertinet, responderi: Et hoc sub omni pena que propter hoc competere poterit, non omittatis: Datum sub testimonio nostri magni sigilli, apud Perth, xvii° die mensis Marcii, anno regni nostri sexto.

Pro Hugone de Eglyntoun.

CHARTER by King Robert II. to Hugh of Eglyntoun, Knight, of an annualrent of fifty shillings from Drumdow, etc., 26th June 1376.

19. ROBERTUS Dei gracia Rex Scottorum, Omnibus etc., Salutem; Sciatis nos dedisse, etc., dilecto

fratri nostro Hugoni de Eglyntoun, militi, annuum redditum quinquaginta solidorum de Drumdow, annuum redditum octo solidorum et quatuor denariorum de Stayre, annuum redditum triginta trium solidorum et quatuor denariorum de la Cars, et annuum redditum quadraginta solidorum de Monyhagane, cum pertinenciis, infra vicecomitatum de Are; qui fuerunt Roberti de Bruys, consanguinei nostri, et quos idem Robertus nobis sursum reddidit et resignauit: Tenendos et habendos dicto Hugoni et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate inperpetuum, libere, quiete; Concessimus insuper dicto fratri nostro, liberam nostram licenciam ad mortificandum dictos annuos redditus, et ipsos ad mortuam manum ponendi et tradendi, quibuscunque locis seu loco, personis vel persone, quibus sibi magis videbitur expedire: In cuius rei etc., Testibus, etc., apud Perth, xxvi^to^ die Junii, anno regni nostri sexto.

CHARTER by King Robert II. confirming Charter by Marjory, daughter of the deceased John Mungumry, of the lands of Staire and Kylmore in Carrick, 15th November [1381].

20. ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue salutem. Sciatis nos approbasse, ratificasse, et hac presenti carta nostra confirmasse donacionem illam et concessionem quas Marioria filia quondam Johannis Mungumry fecit et concessit Malcolmo filio Henrici Fergusii de Carryk, de terris del Staire et de Kylmore, cum pertinenciis, in comitatu de Carryke, infra vicecomitatum de Are: Tenendis et habendis dicto Malcolmo et heredibus suis in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque ad dictas terras cum pertinenciis spectantibus, seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut carta dicte Mariorie dicto Malcolmo exinde confecta in se plenius iuste continet et proportat; Saluo seruicio nostro: In cuius rei testimonium, presenti carte nostre confirmacionis nostrum precepimus apponi sigillum: Testibus, venerabilibus in Christo patribus, Willelmo et Johanne, cancellario nostro, Sancti Andree et Dunkeldensis ecclesiarum episcopis, Johanne primogenito nostro de Carryk, senescallo Scocie, Roberto de Fyf et de Menteth, filio nostro dilecto, Willelmo de Douglas et de Marr, consanguineo nostro, comitibus: Jacobo de Lyndesay nepote nostro karissimo, et Alexandro de Lyndesay consanguineo nostro, militibus: Apud Ardstanchell, decimo quinto die Novembris, anno regni nostri vndecimo.

INSTRUMENT of TRANSUMPT of the above Confirmation, 12th February 1412.

21. IN Dei Nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno annunciationis Domini millesimo CCCC^mo^ duodecimo, indictione sexta, die Veneris, xii^a^ die mensis Februarii, pontificatus sanctissimi in Christo patris ac domini, domini nostri Benedicti, diuina prouidencia pape xiii anno xix^o^: In mei notarii publici et testium subscriptorum

Charter

by

John of Montgomeri,

Lord of Eglisbame,

to

William Blakeforde.

8th October 1892.

Omnibus hanc cartam visuris vel audituris Johes
Universitas vestra me dedisse · concessisse · et hac presenti c
firmo et confirmo totam illam terram que vocatur Hul Ber
Laplus · cet sua mera et spontanea voluntate · michi in ple
sigusante · ac totum ius et clameū que in dicta terra habu
imperpetuū · tenēnd et habend eidem Willmo et hered
vero defacientibus · Johīn Valays de Elrisley · et her
diuisas suas · cum oūibus et singulis · libertatibz · ā
terram spectantibus · seu quoquomodo spectare vale
in feodo et hereditate imperpetuum · Faciendo inde ā
exeuntes · quibus vero defacientibus · predictus Johe
cartas mas de Eglisham pro omni alio seruicio se
mee sigilli mei est appensum · Apud Eglisham · a
Nonagesimo · Secundo · His testibus · Johne Syr
gaye · duo de Cancestane · Thoma de Crauforde dñi

ꝑri dñs de Egilham salutem in dño sempiternam Nouit
rnalie dilecto meo et fideli Willmo de Blakeford ꝓ homagio
dicti Willmi et quam ipe nob̄i aut meis ducentis in erroe
de Egilham per fustum et backy surlim reddidit et re
posuit pro se et heredibus suis ōino quiet̄ clamauit
poe suo legitime procreatis seu procreandis quibus
de me et heredib̄ meis per om̄es rectas metas et
ꝑtiamentis et suis pertinenciis quibuscūq; ad dicta
rum libere quiete bene integre honorifice et in pace
s Willm̄s et heredes sui predicti de corpore suo legitime
heredes sui michi et heredib̄ meis com̄unē secram ad
me seu demanda In cuius rei testim̄ presenti carte
nris sigillis Datis Anno gracie millesimo tricentesimo
Sliocesim̄ Hugone Walays dño de Cragyne Willmo
mys et Johne de Pollok dño eiusdem Ac multis Aliis

presencia personaliter comparuit honestus vir, Johannes filius Malcolmi, Dominus de Stayre, et ostendebat michi quandam confirmacionem domini nostri Regis de terris de Stayre et de Kilmore, et petiit a me notario, predictam confirmacionem sibi copiari; cuius tenor sequitur in hec verba. Robertus Dei gracia [*etc. ut in No.* 20]. De quibus omnibus et singulis, predictus Johannes filius Malcolmi petiit per me notarium subscriptum publicum sibi fieri instrumentum, sumptibus suis et expensis: Acta fuerunt hec apud Lamruchtoun in domo Ricardi Sissoris: Presentibus nobilibus viris, Domino Willelmo de Conyngham, milite, Domino de Kilmawris, Willelmo de Conyngham, filio domino de Wodhall, Dauid de Farnle, Domino eiusdem, Willelmo Flemyng, filio et herede Domini de Barrachane, Johanne de Selkyrk, Ricardo Sissore, Henrico Wily, et multis aliis testibus ad premissa vocatis et requisitis.

Et ego Johannes de Howburn, Clericus Sanctiandree dyocesis, publicus imperiali auctoritate notarius: Quia premissis omnibus et singulis dum sic per prefatum agerentur et fierent, vna cum prenominatis testibus presens fui, et hec omnia sic fieri, vidi, et audiui, et hoc presens publicum instrumentum, manu mea propria scriptum confeci, et in hanc publicam formam redegi, et signo meo consueto signaui, in fidem et testimonium omnium et singulorum premissorum rogatus et requisitus.

JOHES DE H. Ex causa.

OBLIGATION by James the Lyndesay, Lord of Bochane, to John of Montgumry, Lord of Egillhame, 9th December 1389.

22. BE it knavyn til al men truth thir present leteris, ws, Jamys the Lyndesay, Lord of Bochane, hafe granteyt, and lely heth, til our lufit cosyng, Jon of Montgumry, Lord of Egillhame, that we sal nocht recunnyse, na ger recunnyse, the landys of Dunbulge na of Carny, the qwylkys he haldys of ws, for na cause gifin na for to begifin, qwyllys we, our ayrys or our assigneis, pay til the forsaid Jon, his ayrys or hys assigneis, in the Castell of Edinburgh, ix hunder punde of Inglish gold, on a day; as our euidentis proportis: Alswa, we grant and lely hechtis, that we sal helpe and supponell the forsaid Jon in the helpe and mantenance of the forsaide landys that the said Jon haldys of ws, and at we sal nocht be in the contrar of hym with na nothyr in the mentyme: In the witnes of this we haue to put oure sele at Edinburgh, the ix day of December, the yher of Grace 1^{m} iii^{c} $iiii^{xx}$ and ix.

Seal: On a shield a Fesse cheque.

CHARTER by John of Montegomorri, Lord of Eglishame, to William of Blakeforde, of the lands of Little Benane, 8th October 1392.

23. OMNIBUS hanc cartam visuris vel audituris, Johannes de Monte gomorri, Dominus de Eglishame, Salutem in Domino sempiternam: Nouerit vniuersitas vestra me dedisse, concessisse, et hac

presenti carta mea confirmasse dilecto meo et fideli, Willelmo de Blakeforde, pro homagio suo et seruicio, totam illam terram que vocatur Litil Benane, que fuit dicti Willelmi, et quam ipse, non vi aut metu ductus, nec errore lapsus, set sua mera et spontanea voluntate, michi, in plena curia mea de Eglishame, per fustem et baculum sursum reddidit et resignauit, ac totum ius et clameum que in dicta terra habuit uel habere potuit, pro se et heredibus suis, omnino quietum clamauit inperpetuum: Tenendam et habendam eidem Willelmo, et heredibus suis de corpore suo legittime procreatis seu procreandis; quibus vero deficientibus, Johanni Walays de Elrisley, et heredibus suis, de me et heredibus meis, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque, ad dictam terram spectantibus, seu quoquomodo spectare valentibus infuturum, libere, quiete, bene, integre, honorifice et in pace, in feodo et hereditate, inperpetuum: Faciendo inde annuatim dictus Willelmus, et heredes sui predicti de corpore suo legitime exeuntes, quibus uero deficientibus, predictus Johannes Walays, et heredes sui, michi et heredibus meis, communem sectam ad curias nostras de Eglishame, pro omni alio seruicio seculari, exaccione, seu demanda: In cuius rei testimonium presenti carte mee sigillum meum est appensum, apud Eglishame, octauo die mensis Octobris, anno gracie millesimo tricentesimo nonogesimo secundo: Hiis testibus, Johanne Symple, Domino de Eliotistoun, Hugone Walays, Domino de Cragyne, Willelmo More, Domino de Camcescane, Thoma de Crauforde, Domino de Achinhamys, et Johanne de Polloc, Domino eiusdem, ac multis aliis.

CHARTER by King Robert III. confirming a Charter by Malcolm Fleming of Biger and of Leigne, to William de Boyd, Lord of Galvane, of the lands of Badynhache, 7th July 1395.

24. ROBERTUS Dei gracia Rex Scottorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos quamdam cartam Malcolmi Flemyng de Biger, militis, de mandato nostro visam, lectam, inspectam et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua parte viciatam, intellexisse ad plenum, sub hac forma: Omnibus hanc cartam visuris uel audituris, Malcolmus Flemyng, miles, Dominus de Biger et de Leigne, Salutem in Domino: Noueritis vniuersitas vestra nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo nepoti nostro, Wilelmo de Boyde, Domino de Galvane, pro suo seruicio, consilio et auxilio, nobis impensis et impendendis, totam terram nostram de Badynhache cum pertinenciis, in baronia nostra de Leigne, infra vicecomitatum de Donbretane: Tenendam et habendam totam predictam terram de Badynhache cum pertinenciis, eidem Wilelmo, et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas et diuisas suas, in boscis, planis, viis, semitis, moris, marresiis; in pratis, pascuis, et pasturis; in molendinis, multuris et eorum sequelis; in petariis et turbariis; in aucupacionibus, piscacionibus, et venacionibus; in curiis, escaetis, et earum exitibus; in herretis, merchetis, et bludwytis; et cum omnibus aliis et singulis libertatibus, commoditatibus, aysiamentis

et iustis pertinenciis suis quibuscumque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad totam dictam terram cum pertinenciis spectantibus seu quoquomodo spectare valentibus in futurum; adeo libere, quiete, honorifice, bene, integre et pacifice, sicut aliqua terra infra regnum Scotie ab aliquo barone, pro bono merito, liberius dari poterit et concedi: Reddendo inde annuatim dictus Wilelmus et heredes sui nobis et heredibus nostris, vnum denarium argenti, in festo Pentecostes, super solum, tantum si petatur, nomine albe firme, pro warda, releuio, maritagio, secta curie, ac omni alio onere, exaccione, consuetudine, demanda, seu quouis alio seruicio seculari, que de dicta tota terra cum pertinenciis, seu aliqua parte eiusdem, per quoscumque in futurum exigi poterint aliqualiter seu requiri: Quam vero totam terram prefatam de Badynhache cum pertinenciis nos dictus Malcolmus et heredes nostri, prefato Wilelmo et heredibus suis, in omnibus ut supradictum est, contra omnes gentes mortales, warantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi: Hiis testibus, nobilibus et potentibus viris, Dominis Roberto de Danyelistoun, Domino eiusdem, Patricio de Graham, Domino de Kyncardyn, Johanne de Maxwell, Domino de Pollok, militibus; Roberto Boyde, Domino de Kilmernok, nepote nostro carissimo, Dauid Flemyng, filio nostro et herede, et Patricio Flemyng, genito nostro secundo, cum multis aliis: Quam quidem cartam, donacionem et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis, ac circumstantiis suis quibuscumque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus, et pro nobis et heredibus nostris, ut permissum est, imperpetuum confirmamus: Saluo seruicio nostro: In cuius rei testimonium presenti carte nostre confirmacionis nostrum precipimus apponi sigillum: Testibus, venerabilibus in Christo patribus, Waltero et Matheo, Sanctiandree et Glasguensis ecclesiarum Episcopis, Roberto Comite de Fyff et de Meneteth, fratre nostro carissimo, Archebaldo Comite de Douglas, Domino Galwidie, Jacobo de Douglas, Domino de Dalketh, Thoma de Erskyne, consanguineis nostris dilectis, militibus; et Alexandro de Cokburn de Langtoun, custode magni sigilli nostri; apud castrum nostrum de Rothissay, septimo die mensis Julii, anno regni nostri quinto.

Transumpt (dated 17th March 1574) of Charter by John Montgomery, Knight, Lord of Ardrossan, to Alexander Lockhart, of the lands of Lochwood, 1st December 1407.

25. Anent our Soverane Lordis letteris purchest at the instance of James Lokkert of Ley, aganis Hew Erle of Eglintoun, Lord Montgomery, etc., makand mentioun, that quhair the said James Lokkart hes all and haill the aucht pund land of auld extent of Lochwod with the pertinentis, pertening to him in heretage, lyand within the barony of Ardrossane, bailliarie of Conynghame, and shirefdome of Air, haldin be him immediatlie of the said Hew Erle of Eglintoun, Lord Montgomerie, etc.; as his infeftment thairof beris: And it is of veritie that the saidis landis tuelf scoir zeiris syne or thairby, wes gevin furth be vmquhile Johne Montgomerie, Lord of Ardrossan, to vmquhile Alexander Lokkart of Ley, the said complenaris predecessour, fra quhome the

foirsaidis landis hes succedit be linall successioun fra air to air vnto him; as the first infeftment maid thairof to the said vmquhile Alexander Lokkart of the Ley, his predecessour, of the dait the first day of December, the zeir of God I^M four hundred and sevin zeiris, proportis: Quhilk infeftment is weill auld, the letteris of sindrie wordis thairof is ane pairt viciat and consumit, and be schort spaice the samen wil becum skairclie legiable; and sua it is necessar that the said infeftment be transsumit befoir the Lordis of Counsall in autentik forme; to the effect that full faith be gevin to the said transsumpt thairof, as ane trew evident in tymes cumming: And anent the charge gevin to the said Hew Erle of Eglintoun, superiour of the saidis landis, and air be progress to the said vmquhile Johne Montgomery, Lord of Ardrossan, makar of the said infeftment, to haue comperit before the Lordis of Counsall at ane certane day bypast, to haue hard and sein the foirsaid infeftment transsumit in maner vndirwrittin, or ellis to haif allegit ane ressonable cause quhy the samen suld nocht haue bene done; lyk as at mair lenth is contenit in the saidis letteris; the said James Lokkart of Ley being personaly present, and the said Hew Erle of Eglintoun being lauchfullie summound to this actioun, oftymes callit, and nocht comperit; the Lordis of Counsall hes transsumit and transsumis the foirsaid auld infeftment of the landis foirsaidis in autentik and dew forme, and decernis and ordannis the transumpt thairof to haif full and vndoubtit faith in all tyme cuming; off the quhilk the tennour followis:

Omnibus hanc Cartam visuris vel audituris, Joannes de Montgomery, miles, Dominus de Ardrossan, Salutem in Domino sempiternam: Sciatis me dedisse, concessisse, et hac presenti carta mea confirmasse dilecto consanguineo meo, Alexandro Lokkart, totas terras meas de Lochwod cum pertinentiis, jacentes in baronia mea de Ardrossan predicta, infra vicecomitatum de Air: Tenendas et habendas dicto Alexandro et heredibus suis, de me et heredibus meis, in feodo et hereditate, libere, quiete et pacifice, per omnes suas rectas metas et diuisas, in moris, marresiis, pratis, pascuis, et pasturis, aquis, stagnis, riuolis, viis, semitis, boscis, planis, aucupationibus, venationibus, piscariis, molendinis, multuris et eorum sequelis, cum curiis et earum exitibus, ac omnibus aliis et singulis libertatibus, commoditatibus, asiamentis, ac iustis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, in omnibus et per omnia, ad dictam terram de Lochwod spectantibus, seu de iure aut consuetudine spectare valentibus quomodolibet in futurum: Reddendo inde annuatim dictus Alexander et heredes sui, mihi et heredibus meis, vnam libram piperis ad festum beati Joannis Baptiste, nomine albe firme, si petatur, pro omni alio seruitio, exactione, seu demanda, que de dictis terris de Lochwod cum pertinentiis exigi poterint vel requiri: In cuius rei testimonium huic carte mee sigillum meum apposui, apud Polnone, primo die mensis Decembris, anno Domini millesimo quadringentesimo septimo: Testibus, Joanne de Hammiltoune de Ross, milite, Allano Campbell, Joanne Inglis, Alexandro Muvre, scutiferis, cum multis aliis.

Becaus the said Hew Erle of Eglintoun wes lauchfullie summond to haue comperit before the Lordis of Counsall, at ane certane day bypast, to haue hard and sein the foirsaid auld infeftment transsumit, and decernit to haif faith as said is, or ellis to haif allegit ane ressonabill caus

Precept

by

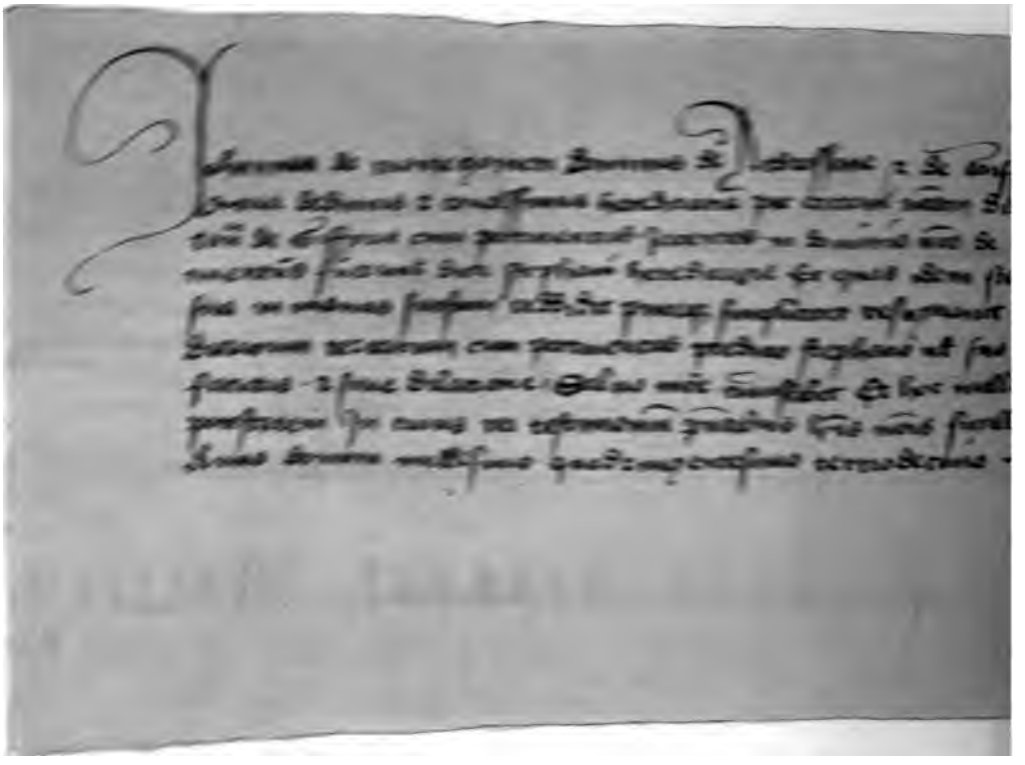
John of Montgomerie,

Lord of Ardrossan and of Giffyne, Knight,

to

Stephen Ker of Trearne.

24th November 1418.



Dilecto z ſpali nro Johanni homyl Wallno nro de Biſſyne ſalutem
ro Stephano hier domino de tiear ne totas z integras terras de le owr
aroma de Lrile uſq; Crucemitacum de Ave/ que quidem terre cum per
n Gi aut metu ductus nec errore lapſus ſed mera z ſpontanea Voluntate
uter preceptimus z mandamus quatinus ſtatum z ſaiſinam hereditariam
uo ſtatu pacum ſecundo tenorem carte nre quam inde habet iuſte habere
atis; Ad quod ſtiendu vobis inum tenore puntum committimus
preſentibus apud poluone Vicesimo quarto Die menſis Novembris

quhy the samen suld nocht haue bein done; with certificatioun to him and he failzeit, the saidis Lordis wald decerne in maner foirsaid; and he being lauchfullie summond to that effect, as superiour of the saidis landis, comperit nocht to schaw ony ressonabill caus in the contrare; lyk as wes cleirlie vnderstand to the saidis Lordis.

PRECEPT by John of Montgomery, Lord of Ardrossane and of Giffyne, Knight, for infefting Stephen Ker of Trearne in the lands of Ouirtoun of Giffyne, 24th November 1413.

26. JOHANNES de MONTEGOMERI, Dominus de Ardrossane et de Giffyne, miles, dilecto et speciali nostro, Johanni Homyl, Balliuo nostro de Giffyne, Salutem: Quia dedimus et concessimus hereditarie, per cartam nostram, dilecto et speciali nostro, Stephano Ker, Domino de Trearne, totas et integras terras de le Ouirtoun de Giffyne cum pertinenciis, jacentes in dominio nostro de Giffyne, in baronia de Kile, infra vicecomitatum de Are; que quidem terre cum pertinenciis fuerunt dicti Stephani hereditarie, et quas idem Stephanus, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, in manus [nostras] sursum reddidit, pureque simpliciter resignauit: Vobis firmiter precipimus et mandamus quatenus statum et saisinam hereditariam faciatis, et sine dilatione; saluo iure cuiuslibet: Et hoc nullo modo omittatis: Ad quod faciendum vobis nostram tenore presencium committimus potestatem: In cuius rei testimonium presentibus literis nostris sigillum nostrum apposuimus, apud Polnone, vicesimo quarto die mensis Nouembris, anno Domini millesimo quadringentesimo tercio decimo.

CHARTER of CONFIRMATION by Robert Duke of Albany, Governor of Scotland, of a Charter by John of Montgomeri of Ardrossane, Knight, to his son, Robert of Montgomeri, of the lordship of Giffine, etc., 9th March 1413.

27. ROBERTUS DUX ALBANIE, Comes de Fyfe et de Mentethe, ac regni Scocie Gubernator, Omnibus probis hominibus tocius regni predicti, clericis et laicis, Salutem: Sciatis nos ratificasse, approbasse, ac pro domino nostro Rege, et heredibus suis, imperpetuum confirmasse donaciones et concessiones illas quas dilectus confederatus noster, Johannes de Montegomeri de Ardrossane, miles, fecit et concessit dilecto filio suo, Roberto de Montegomeri, genito inter ipsum et quondam Agnetam de Insulis, sponsam suam, cuius animam Deus absoluat, cum consensu et assensu Alexandri de Montegomeri, carissimi filii sui et heredis, fratris germani predicti Roberti, de totis et integris terris dominii de Giffine cum pertinenciis, jacentibus in baronia de Kyle Senescalli, infra vicecomitatum de Are; et de totis et integris terris de Lochhous cum pertinenciis, jacentibus in constabularia de Linlithcu, infra vicecomitatum de Edinburgh; ac de totis et integris terris de Knokintire et de Knokmulyne, cum pertinenciis, jacentibus in Kile Regis, infra dictum vicecomitatum de Are, et de vno annuo redditu quinquaginta solidorum vsualis monete regni Scocie, leuando et percipiendo annuatim de terris de Drumdow cum pertinenciis, ad duos anni terminos, Pentecostes, videlicet, et

sancti Martini in hieme, per equales porciones, ac de omnibus et singulis toftis et croftis, ac particatis terrarum vbicumque jacentibus infra burgum de Linlithcu, ac eciam de omnibus et singulis annuis redditibus qualitercumque debitis infra burgum de Linlithcu antedictum: Tenendas et habendas omnes et singulas prenominatas terras et annuos redditus, cum toftis, croftis, et particatis terre, cum pertinenciis, predicto Roberto de Montegomeri, et heredibus suis masculis de corpore suo legittime procreatis seu procreandis; quibus forte deficientibus, predicto Johanni de Montegomeri, patri suo, et heredibus suis veris legittimis et propinquioribus quibuscumque, de dicto Johannè de Montegomeri, et heredibus suis, in feodo et hereditate imperpetuum, per omnes rectas metas suas, antiquas et diuisas, cum omnibus et singulis libertatibus, commoditatibus et aisiamentis, ac iustis pertinenciis quibuscumque, ad predictas terras et annuos redditus, cum pertinenciis, spectantibus, seu iuste spectare valentibus quomodolibet infuturum; adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut in carta predicti Johannis de Montegomeri, confederati nostri, dicto Roberto, filio suo, inde confecta, plenius continetur: Saluo domino nostro Regi et heredibus, de predictis terris et annuis redditibus, cum pertinenciis, seruicio debito et consueto: In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus: Testibus, reuerendo in Christo patre, Domino Gilberto Episcopo Abirdonensi, Cancellario Scocie, Johanne Stewart, Comite Buchanie, filio nostro, Vmfrido de Conynghame de Ochtirmachane, milite, et Andrea de Hawik, Rectore de Listoun, secretario nostro, apud Striueling, nono die mensis Marcii, anno Domini millesimo quadringentesimo terciodecimo, et gubernacionis nostre anno octauo.

SERVICE before Sir John of Montegomery, Baillie of Kilbrid, of Herbert of Maxwell, as heir to his father, Herbert of Maxwell, Lord of Carlaveroke, in the lands of Mekill Drippis, 16th October 1421.

28. INQUISICIONE facta apud Kilbrid, coram Domino Johanne de Montegomery, balliuo eiusdem, die Jouis, xvi die mensis Octobris, anno Domini M° CCCC^mo^ xxi^mo^; per hos probos subscriptos, videlicet, Johannem Lindsay, Dominum Dunrod, Robertum de Lekprewik, Dominum eiusdem, Joachimum de Lekprewikis, Dominum de Lee, Adam More, Dominum de Ewirechillis, Iorgium de Hamyltone, Johannem de Cochrane, Andream Flemyng, Jacobum de Pollok, Johannem Broun, Johannem Zong, Adam Dounyng, Willelmum Keris, et Johannem Lokarde, Dominum de Bare: Qui iurati et diligenter examinati super articulis contentis in breui incluso, dicunt quod quondam Harbertus de Maxwell, Dominus de Carlauerokis, pater Harberti de Maxwell, latoris presentium, obiit vestitus et sazitus, ut de feodo, ad pacem et ad fidem domini nostri Regis, de terris de Mekill Drippis cum pertinenciis, in baronia de Kilbryd, infra vicecomitatum de Lanark: Et dicunt quod dictus Harbertus, filius, est legitimus et propinquior heres quondam domini Harberti, patris sui, de terris de Mekill Drippis, cum pertinenciis: Et quod est legitime etatis: Et quod dicte terre nunc valent per annum xx marcis, et tantum valuerunt tempore pacis: Et dicunt quod dicte terre tenentur in capite de domino de Kilbryd per forensicum seruitium: Et quod dicte terre nunc exis-

Charter

by

Robert, Duke of Albany,

Governor of Scotland,

confirming Charter by

John of Montgomeri,

of Ardrossan, Knight.

9th March 1418.

obertus dux Albanie comes de fyfe ⁊ de ayrnetl
latas salutem · Quatus nos statuisse approbasse ac pro
illas · quas dilectus consanguineus noster Johannes de mo
yemeto nter vpm ⁊ quondam Agnetam de Insulis spon
carissim filiu suu ⁊ heredes fratris germani predicti Ro
de lenli senescalli mri Burcomitatum de Are ⁊ de tous ⁊
Burcomitatum de Edinburgh · ac de tous ⁊ meyris terra
Burcomitatum de Are · ⁊ de duo annuo redditu quinquag
Drumdell cum pertinentiis ad duos annuos terminos pentecoste
vsuales ac pasuagiis terrarum Bhuimoy jacentibz infr Bu
mri Burgum de Linlithu additum Tenendi ⁊ habendi om
cum pertinentiis predicto Roberto de montegomeri ⁊ here
dissuccessoribus predicti Johannis de montegomeri patris sui
yomeri · ⁊ heredibus suis in feudo ⁊ hereditate imperpetuum
comodiosibus ⁊ aisiamentis ac usuagiis pertinentiis quibuscun
Baliemis quomodolibet nuncupatis · Adeo libere ⁊ quiete pl
Johannis de montegomeri confederati mri dicto Roberto filio
terris ⁊ annuo redditui cum pertinentiis seruitio debito
offitio mri appoin precipuus testibus reuerendo in xpo
ame filio mro Cristofo de comyngham de Cherrumacha
nono die mensis marcij Anno domini millesimo qua

me Gubernator Omnibus probis hominibus totius regni predicti clericis et
ge et laicis suis imperpetuum confirmasse donaciones et concessiones
rdrossane milcb sicut eis concessit dilecto filio suo Roberto de montegomeri
a animam deus absoluat / cum consensu et assensu Alexandri de montegom
negre vxoris domini de Bissete cum prementibus iacentibus in Barowa
de lochshous cum pertinens iacentibus in constabularia de Linlithgu nos
re et de kenokmukyne cum pertinentis iacentibus in balle regis nos Dim
ualis mouere regni sone leuandi et percipiendi annuatim de terris de
ottini in hiemis per equales portiones / ut de omnibus et singulis tostis et
ne / ac etiam de omnibus et singulis annis reddentibus quibuscumque alteris
i pertinentis terras et annuos redditus cum tostis crofts et particulis terr
rtalis de corpore suo legitime procreatis seu procreandis Quibus forte
o sine legitimis et primogenitis substitutis de dicto Johanne de monte
rras metas suas antiquas et diuisas / cum omnibus et singulis libertatib
s terras et annuos reddit cum pertinens spectantibus seu iuste spectare
et et honorifice bene et in pace in omnibus et per omnia sicut in carta predicta
tera plenius continetur Saluo domino nro regi et heredibus de predictis
n cuius rei testimonium presentes nre confirmationis magnum sigillum
gilberto epo Abirdonen cancellario scotie Johanne stirling comite Menth
Andrea de halkirk militore et Ristoun secretario nro apud Stremeling
no tertiodecimo et gubernationis nre anno octauo -

tunt in manibus domini nostri superioris, per recognicionem seriandi, ob causam mortis dicti Domini Harberti de Maxwell, a tempore decessus eiusdem: In cuius retornacionis testimonium sigillum balliui, vna cum sigillis eorundem qui dicte inquisicione intererant faciende, est affixum, die, anno et loco supradictis.

PRECEPT by James Stewart, Lord of Kilberde, to Sir John of Montegomorry, Lord of Ardrossane, and Baillie of Kilbride, for infefting Harbert of Maxwell in the lands of Mekil Drippis, 20th October 1421.

29. JAMYS STEWART Lord of Kilberde, til a worschipful man, Sir Johne of Montegomorry, Lord of Ardrossane, our balze of the barony of Kilbride, Gretyng: Wit ze vs to haf sene, vndirstand, and admittit ane Inquest takyn befor zow of the landis of Mekil Drippis with the pertinentis, lyand in the barony of Kilbrid forsaid, within the schirrafdome of Lanerk, on our behalf, as our lard therof, tuchand to Harbert of Maxwele, the sone and ayr qwhilom of Sir Harbert of Maxwele, Lord of Carlaueroke: Qwharfor it is our wil and we charge zow, thir letteris sene, without delay, at ze ger be geffin or gef sesyng to the said Harbert, or his attournay, of the said landis of Mekil Drippis with the pertinentis, in our name, lauchfully, saufand ilk mannys richt; efter the forme of the Inquest therof tane: In the witnes of the qwhilk thing, to thir present letteris our sele is to put, at Lanark, the twenty day of the moneth of October, the zer of our Lord I.M CCCC twenty and ane.

CONFIRMATION by King James I. (2nd October 1427), of a Charter by Murdoch Duke of Albany, to John of Montgomeri of Ardrossane and Margaret of Maxwell, of the lands of Thornetoun, etc., 29th March 1422.

30. JACOBUS Dei gratia Rex Scotorum, Omnibus probis hominibus totius terre sue, clericis et laicis, Salutem: Sciatis nos inspexisse quandam cartam carissimi consanguinei nostri, Murdaci Ducis Albanie, Gubernatoris ac Senescalli Scocie, Comitis de Fyf et de Menteth, factam et concessam dilecto et fideli nostro Johanni de Montegomeri de Ardrossane, militi, et Margarete de Maxuel, sponse sue, de omnibus et singulis terris de Thornetoun, de Achingal, et de Crothnawis, et de Monynette, cum pertinentiis, jacentibus in constabularia de Hadington, infra vicecomitatum de Edinburgh, de mandato nostro visam, lectam, inspectam et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, sed omni prorsus vicio et suspicione carentem, ad plenum intellexisse; cuius quidem carte tenor sequitur in hunc modum: Murdacus Dux Albanie, Gubernator ac Senescallus Scocie, Comes de Fyf et de Menteth, Omnibus probis hominibus regni predicti, clericis et laicis, ad quos presentes litere peruenerint, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro, Johanni de Montegomeri de Ardrossane, militi, et Margarete de Maxuel, sponse sue, omnes et singulas terras de Thornetoun, et de Auchingalle, de

Crethnawis, et de Monynette, cum pertinentiis, jacentes in constabularia de Hadingtoun, infra vicecomitatum de Edinburgh; quequidem terre cum pertinentiis fuerunt dicti Johannis de Montegomeri, militis, hereditarie, et quasquidem Johannes, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, in manus nostras coram testibus infra scriptis per fustem et baculum personaliter, sursum reddidit, pureque simpliciter resignauit, ac totum jus et clameum que in dictis terris cum pertinentiis habuit, uel habere poterit, pro se et heredibus suis, omnino quitumclamauit imperpetuum: Tenendas et habendas totas et integras prenominatas terras de Thorntoun, de Achingalle, de Crethnawis, et de Monynette, predictis pertinentiis, predicto Johanni de Montegomeri, militi, consanguineo nostro, et Margarete sponse sue, et eorum diutius viuenti, et heredibus masculis inter ipsos legitime procreatis, quibus forte deficientibus, veris legittimis et propinquioribus heredibus dicti Johannis de Montegomeri, militis, quibuscunque, libere reuertendas, de Domino Senescallo Scocie, heredibus et successoribus suis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marresiis, viis, semitis, aquis, stangnis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, et piscariis, cum curiis eschaetis et earum exitibus, ac cum omnibus aliis libertatibus, commoditatibus et aysiamentis, ac justis pertinentiis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam prope quam procul, ad prenominatas terras cum pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum; adeo libere et quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut predictus Johannes de Montegomeri, miles, aut predicessores sui, predictas terras cum pertinentiis, ante dictam resignationem nobis inde factam, de domino senescallo Scocie, aut predicessoribus suis, aliquo tempore retroacto liberius tenuit aut possedit, tenuerunt aut possederunt: Faciendo annuatim antedictus Johannes de Montegomeri miles, et Margareta sponsa sua predicta, et eorum diucius viuens, et heredes masculi inter ipsos legitime procreati uel procreandi; quibus forte deficientibus, veri legittimi et propinquiores heredes prefati Johannis de Montegomeri, militis, quicunque predicto domino senescallo Scocie, heredibus et successoribus suis de predictis terris cum pertinentiis seruitia debita et consueta: In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi: Hiis testibus, reuerendo in Christo patre, Domino Willelmo Episcopo Dunblanensi, Alexandro Stuart, filio nostro dilecto, Vmfredo de Conynghame de Vchtirmachne, milite, Thoma Boide de Kylmerno, Johanne Lindesay de Biris, et Alano de Otirburne, secretario nostro, apud villam de Streuelyng, vicesimo nono die mensis Martii, anno Domini millesimo quadringentesimo vicesimo secundo, et gubernationis nostre anno secundo: Quamquidem cartam, donationem et concessionem in eadem contentas, in omnibus punctis suis et articulis, conditionibus et modis, ac circumstantiis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus et in perpetuum confirmamus; Saluis nobis et successoribus nostris wardis, reliuiis, maritagiis, cum contigerint, ac seruitiis dictis terris debitis et consuetis: In cuius rei testimonium presenti carte nostre confirmationis mag-

num sigillum nostrum apponi precipimus: Testibus, reuerendo in Christo patre, Johanne Episcopo Glasguensi, cancellario nostro, Johanne Forestarii de Corstorfin, milite, camerario Scocie, Roberto de Lawedre, milite, iusticiario nostro ex parte australi aque de Forth, Waltero de Ogilvy de Luntrethryn, camerario nostro, et Magistro Willelmo Foulis, custode priuati sigilli nostri, apud Edinburgh, secundo die mensis Octobris, anno regni nostri vicesimo secundo.

CHARTER by David of Coghrane, to Edward of Coghrane, his son, of the lands of Ovyrlee [1425].

31. OMNIBUS hanc cartam visuris vel audituris, Dauid de Coghrane, Dominus borialis dimidietatis terrarum de Ovyrlee, Salutem in Domino sempiternam: Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse, dilecto filio meo, Edwardo de Coghrane, pro suo seruicio michi impenso, omnes et singulas terras meas predictas de Ovyrlee, cum pertinenciis, iacentes in baronia de Ranfrow, infra vicecomitatum eiusdem: Tenendas et habendas totas et integras terras predictas de Ovirlee, videlicet, dimidietatem borialem eiusdem cum pertinenciis, a me et heredibus meis, predicto Edwardo, filio meo, et heredibus suis de corpore suo legittime procreatis seu procreandis; quibus forte deficientibus, michi et heredibus legittimis meis quibuscunque, de Alicia de Coghrane et heredibus suis, libere, quiete, plenarie, integre, bene et in pace, per omnes rectas metas, antiquas et diuisas suas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, pratis, pascuis et pasturis; viis, semitis, aquis stangnis, molendinis et multuris; vinariis, petariis, turbariis, carbonariis, cum lapide et calce, ac curiis et earum exitibus et amerciamentis, aucupacionibus, venacionibus, piscariis, cum libero introitu et exitu, in feodo et hereditate imperpetuum; ac cum omnibus aliis commoditatibus, libertatibus et asiamentis, ac justis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam prope quam procul, ad dictas terras de Ovirlee cum pertinenciis spectantibus, seu spectare valentibus quomodolibet in futurum: Reddendo inde annuatim predictus Edwardus, et heredes sui predicti, quibus forte deficientibus, heredes mei legittimi quicunque, triginta denarios vsualis monete Scocie, apud Ovirlee predictum, per equales porciones, nomine albe firme, ad duos anni terminos, videlicet, Penticostes, et Sancti Martini in yeme tantum, pro omnibus aliis que de dictis terris de Ovirlee cum pertinenciis exigi poterunt quoquomodo uel requiri, predicte Alicie de Coghrane et heredibus suis: Et ego predictus Dauid, et heredes mei, totas et integras terras predictas de Ovirle cum pertinenciis predicto Edwardo de Coghrane, filio meo, et heredibus suis predictis, modo et forma prescriptis, contra omnes mortales warantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium, sigillum meum huic presenti carte mee est appensum: Presentibus nobilibus viris, Jacobo de Dowglas, Domino de Balvany, Thoma Weir, Alexandro de Dvnbar, Roberto Weir, Roberto de Dalzell, cum multis aliis.

CONFIRMATION of the above Charter by Alicia de Coghrane, Lady of Nethirlee. [1425].

32. OMNIBUS hanc cartam visuris vel audituris, Alicia de Coghrane, Domina de Nethirlee in baronia de Ranfrow, Salutem in Domino sempiternam: Noueritis me quandam cartam Dauid de Coghrane, Domini de Ovirlee, factam Edwardo de Coghrane, filio suo, de dimidietate boriali terrarum de Ovirlee predictarum cum pertinenciis, jacencium in baronia de Ranfrow, infra vicecomitatum eiusdem, visam, lectam, inspectam, et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, intellexisse ad plenum, sub hac forma: Omnibus (*etc. ut in No.* 31): Quamquidem cartam, donacionemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis, ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbo, ratifico, et pro me et heredibus meis imperpetuum confirmo: In cuius rei testimonium huic presenti carte confirmacionis sigillum meum apposui: Hiis testibus, nobilibus viris, Jacobo de Dowglas, Domino de Balvany, Thoma Were, Joachim de Lecprevyc, Willelmo de Lecprevyc, fratre suo, Roberto de Dalzell, Roberto de Lecprevyc, Roberto Thoms, cum multis aliis.

CONFIRMATION of the Charter, No. 31, by John Lecprewike, Lord of Meidlee. [1425].

33. OMNIBUS hanc cartam visuris vel audituris, Johannes Lecprewike, Dominus de Meidlee in baronia de Renfrew, Salutem in Domino sempiternam: Noueritis me quandam cartam Dauid de Coghrane, Domini de Ovirlee, factam Edwardo de Coghrane, filio suo, de dimiditate boriali terrarum de Ovirlee predictarum cum pertinenciis, iacentium in baronia de Renfrew, infra vicecomitatum eiusdem, visam, lectam, inspectam et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, intellexisse ad plenum, sub hac forma: Omnibus (*etc. ut in No.* 31): Quamquidem cartam, donacionemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis, ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbo, ratifico, et pro me et heredibus meis imperpetuum confirmo: In cuius rei testimonium huic presenti carte confirmacionis sigillum meum apposui: Hiis testibus, Andrea Mureheid, Johanni Watsone, tunc tempore balliuis burgi de Ruglen, Donaldo Dun, Roberto Brade et Domino Johanni Petigre, burgensibus dicti burgi, cum multis aliis.

PRECEPT by Dauid of Chochran of Lee, for infefting Edward of Chochran, his son, in the lands of Lee, 24th August 1425.

34. DAUIT DE CHOCHRAN de Lee, dilectis nostris et specialibus, Andree Cambal, Vilelmo de Lekprewyke, et Jacobo Allanson, vobis uel vestrum cuilibet, balliuis nostris in hac parte, Salutem: Quia dedimus et concessimus dilecto filio nostro, Edwardo de Chochran, totas et integras terras

nostras de Llee cum pertinenciis, iacentes in baronia de Renfrw, infra vicecomitatum eiusdem, et insuper, omnes terras nostras de Ascoke, jacentes infra dominium de Bwt, et infra vicecomitatum eiusdem, pro homagio suo et seruicio nobis impenso, et pro toto tempore vite sue impendendo: Quare vobis precipimus et mandamus quatenus, visis presentibus, indilate statum possessionem et sasinam hereditariam dictarum terrarum cum pertinenciis, Edwardo vel suo certo attornato, latori presencium, habere faciatis; secundum tenorem carte nostre quam inde habet confecte; saluo iure cuiuslibet: et hoc ad faciendum vobis et vestrum cuilibet nostram plenariam potestatem et speciale mandatum, committimus per presentes: Datum sub sigillo meo apud Llee, vicessimo quarto die mensis Augusti, anno Domini millesimo CCCC^{mo} vicesimo quinto.

GRANT by King James I. to Alexander Montgomery of Ardrossane, and Robert Cunynghame of Kilmawris, of the office of Keepers of Kintyre and Knapdale, 10th August 1430.

35. JACOBUS Dei gratia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quod ex fidelitate dilectorum et fidelium nostrorum, Alexandri de Montgomery de Ardrossane et Roberti Cunynghame de Kylmauris, militum, ad plenum confidentes, ipsos singulos et insolidum, nostros custodes infra partes de Kyntyre et de Knapdale statuimus et constituimus per presentes: Dantes et concedentes eisdem coniunctim et diuisim plenariam potestatem et mandatum speciale, prefatas terras, vnacum insulis de Gezay et Dannay, ad custodiam castri nostri de Soon pertinentibus, regendi, gubernandi et defendendi, ligeos nostros habitatores earundem ad pacem nostram inducendi et alliciendi, remissionem nostram plenariam etiam eisdem concedendi, et pro eis cum eisdem ex parte nostra tractandi et exponendi; terras nostras prefatas cum insulis supradictis assedandi et ad firmam uel in feodo pro tempore concedendi, firmas earum percipiendi et leuandi; curias nostras, tam vicecomiti quam justiciario spectantes, tenendi, delinquentes in forma juris communis regni nostri puniendi et mulctandi, amerciamenta et eschaetas exigendi, leuandi et percipiendi; firmas, tam pecuniarias quam alias de dictis terris et insulis, ad usum suum proprium sine compoto leuandi et percipiendi, et de ipsis pro libito sue voluntatis disponendi; ac omnia alia et singula faciendi, gerendi et exercendi que ad officium huiusmodi custodientium de jure pertinere dinoscuntur: Ratum, gratum, stabile atque firmum habentes et pro perpetuo habituri totum et quicquid prefati Alexander et Robertus, seu eorum alter, in premissis seu aliquo premissorum duxerint seu duxerit faciendum. Preterea commisimus eisdem ut prefertur, conjunctim et diuisim, custodiam castrorum nostrorum de Soon et de Skypnich cum pertinentiis: Quare vniuersis et singulis ligiis nostris et inhabitantibus terras et insulas supradictas stricte precipimus et mandamus quatenus prefatis Alexandro et Roberto, et eorum alteri, in omnibus et singulis supradictis, ac aliis necessariis et oportunis, eorum necessitatibus aut alterius eorundem pareant, obediant, respondeant et intendant, realiter et cum effectu, etiam si oportuerit in pace et in guerra, si per ipsos ad hoc fuerint requisiti, uel ipsorum alterum fuerit requisitus, sub omni pena quam erga nostram incurrere poterunt mages-

tatem: Presentibus post septenium a festo Pentecostes vltimo preterito in suo robore duntaxat duraturis: Insuper committimus eisdem et concedimus quod baleatus, vnum uel plures, sub ipsis substituere locumtenentem uel locumtenentes eorum, pro quo uel pro quibus voluerint respondere: In cuius rei testimonium has literas nostras sub magno sigillo nostro fieri fecimus patentes, apud Pertht, decimo die mensis Augusti, anno Domini millesimo quadringentesimo tricesimo, et regni nostri vicesimo quinto.

CHARTER of CONFIRMATION by Alan Stewart, Lord of Dernlie, of a Charter by Sir Herbert Herys, Knight, Lord of Traregillis, to Robert Dalzelle of Bracanryg, of the lands of Carngulane, 18th November 1437.

36. OMNIBUS hanc cartam visuris vel audituris, Alanus Senescallus, Dominus de Dernle, Salutem in Domino sempiternam: Noueritis me quamdam cartam talliatam Domini Harberti Herys, militis, Domini de Traregillis, factam Roberto de Dalzelle de Bracanryg, et heredibus suis masculis inter ipsum et Agenetem de Hamyltoun, sponsam suam, de suis corporibus legittime procreatis seu procreandis; quibus forte deficientibus, heredibus suis masculis de corpore suo legittime procreatis seu procreandis quibuscunque; quibus forte deficientibus, heredibus suis legittimis masculis de suo cognomine vocatis, viz., Dalzele; quibus forte deficientibus, heredibus suis legittimis quibuscunque, de terris de Carngulane, cum pertinentiis, jacentibus in baronia de Torboltoun, infra vicecomitatum de Are, visam, lectam, inspectam et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, intellexisse ad plenum: quamquidem cartam talliatam donationemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, conditionibus et modis ac circumstantiis suis quibuscunque cum pertinentiis, forma pariter et effectu, in omnibus et per omnia, approbo, ratifico, et pro me et heredibus meis imperpetuum confirmo: In cuius rei testimonium huic presenti carte confirmationis sigillum meum apposui, apud Cruxtowne, decimo octauo die mensis Novembris, anno Domini millesimo quadringentesimo tricesimo septimo.

INDENTURE between Alexander Mongomry, Knight, Lord of Ardrossane, and Alan Stewart, Lord of Dernle, for the marriage of John Stewart, son and heir of Alan, and Margaret daughter of Alexander, 15th May 1438.

37. THIS Indentur made at Houstoun, the xv day off Maii, the yher off our Lord, M° CCCC° xxxviii°, proportis and beris wytnes in maner and forme as eftyr folowys, that is to say; that it is acordyt betwyx twa honorabyll men, Alexander Mongomry, knycht, Lord off Ardrossane, on the ta part, and Alan Stewart, Lord off Dernle, on the tothir part, that Jhone Stewart, sone and ayr to the sayd Alan Stewart, Lord of Dernle, God wylland, sall haff to wyff and in mariage tak Mergaret off Mongomry, the eldast dochter that is to mary off the forsayd Lord off Ardrossane; and geff it happynys, as God forbed, the forsayd sone or dochter to dysses, the

next son off the forsayd Alan sall mary this forsad Mergaret, and falzand off hyr the next dochter off the forsayd Alexander; and sa furth, geff it falzes off ane or off ma, quhyll aythyr off thaim has dochteris or sonnys, quhyll the forsayd matrimone be fullyly complet and endyt, as is forspokyn: For the quhilk matrimone treuly to be kepyt and amcabily to be fulfyllyt, the forsayd Alexander, Lord off Ardrossane, sall pay or ger pay, he, hys ayris, executoris, or assignes, sex hundreth marcis off vsuale mone off Scotland to the forsayd Alan, hys ayris, executoris or assignes, in yheris and termys as eftyr folowys; that is to say, ane hundreth pund off vsuale mone off Scotland, at the fest of Wytsonday next eftyr the datt off this present, and syn at the Mertynmes next eftyr hend folowand, fourty marcis, and at the Wytsonday next thareftyr, fourty marcis; and sa terme in terme, and yher be yher, proporcionaly quhill the forsayd Alan, hys ayris, executoris or assignes be fullily asythyt and content off the forsayd sowm of sex hundreth marcis: Item, geff it hapynis, as God forbed it do, the forsayd matrimone be ony maner off way to falze, the forsayd syluer payit in part or in all, I the forsayd Alan, myn ayris, executoris or assignes, sall pay or ger pay to the forsayd Alexander, hys ayris, executouris or assignes, als mykyll as is resawyt or payt off the forsayd sowm, at sic lyk days and termys as was the resayt: Item, it is acordyt at the forsayd Alan sall geff in joyntfeftment fourty marcis worth off land, that is to say, the landis off Dregarn and off Dromley; the forsayd landis remanand with the forsayd Alan quhill the forsayd matrimone be complet and fullily endyt: Item, it is ordanyt and appoyntyt that the forsayd Jhone Stewart, sone to the forsayd Alane, sall be reducyt and brocht hame to Crukistone, and to Ardrossane, to cum and repayr at the wyll off the forsayd lordys: Item, it is acordyt that geff it hapynis, God wylland, the forsayd Alan to recouer the Erldome off the Leuenax in all or in part, be quhatsumeuer maner off way, law, trety or composicone, the forsayd Alexander sall geff proporcionaly at termis and yheris as is befor wrytyn, als mikyll as the ald astent is in propirte in a yher, for outyn frawd or gyle, or ony cauillacion: And the forsayd Alane, thir landys recouerit, sall geff in joyntfeftment to the forsayd Jhon and Mergaret, or to ony off tha partys the quhilk God fortunys to cum togeder be matrimone, ane hundreth marcis in connabyll place, countand the fourty marcis off Dregarn and Dromley in this hundreth marcis, sa that the hale, geff the recouere off the Leuenax hapynys, off joyntfeftment sall be ane hundreth marcis, as is befor wryttin; the forsayd Alan joysand the forsayd land quhyll the matrimone be complet: Item, it is acordyt that the forsayd Alexander sall find his dochter for fyff yher with the repayr off hyr husband and hys famil, that is to say, sex hors; the forsayd sone and dochter remanand with thair forsayd faderis quhill the matrimone be complet: Item, it is acordyt, because off mar hartfull continuacion off frendchyp, that aythyr off thaim sall be wyth othyr in assistans, all caus, help and suple, lachfull and honest: Item, it is accordyt that als sone as the forsayd sone and dochter is off lachfull eld that [thai] may be maryd off the comone law, thai sall be maryt, God wylland, for outyn frawd or gyle, or ony cauillacion: And at all thir condiciownis befor wrytyn, lely and treuly to be kepyt in all maner, forme, and effet as is befor wrytyn, aythyr has geffyn othyr thair bodyly

ath apon the mes buk, the haly Ewangelys twychyt; and to the mar wytnes enterchangeabily thai haff set to thair selys, day, yher, and place as is befor wrytyn; the sele off the forsayd Alexander remanand with the part off the Indentur that sall remayn with the sayd Alane Stewart, and the sele off the forsayd Alane remanand with the part off the Indentur that sall remayne with the sayd Alexander; thar beand wytnes and present in the tym off this contrac, that is to say, Jhone Sympyll, Lord off Elyotstone, Schyr Robert Sympyll, knycht, Schyrraff off Renfrew, Jhone of Colquhon, Lord off Lus, Wilzam off Cunyngham, Lard off Glengurnac, Patryk off Houston, Lord off that Ilk, Jhone of Lindsay, Lard off Dunrod, Thom off Park off that Ylk, Jhone Locart off the Bar, and Jhon Sympyll off Fowlwod, with othyr mony.

CHARTER by John Lokhert, Lord of Barr, of an annualrent from the lands of Barr and Neutoun, to a Chaplain to celebrate three masses yearly, in the parish church of Ardrossane, 12th March 1438.

38. OMNIBUS hanc cartam visuris vel audituris, Johannes Lokhert, Dominus de Barr, Salutem in Domino sempiternam: Sciatis me, cum consensu et assensu Roberti Lokhert, filii mei et heredis, dedisse, concessisse, et hac presenti carta mea, pro me et heredibus meis, confirmasse vni capellano ad celebrandas tres missas in ebdomida annuatim pro altari sancti Petri in ecclesia parochiali de Ardrossane, pro salute anime mee, vxoris mee, et prolium nostrorum, antecessorum et successorum nostrorum, ac pro animabus omnium Christianorum, quinque marcas annui redditus, bone et vsualis monete regni Scocie, annuatim soluendas de terris meis de Barr et de Neutoun, iacentibus in ballia de Waltyris Kyle, infra vicecomitatum de Are: Tenendas et habendas dictas quinque marcas dicto capellano in dicto seruicio ministranti et ministraturo, in puram et perpetuam elimosinam, ita libere, plenarie et honorifice, sicut aliqua elimosina in regno Scocie datur, conceditur aut possidetur, sine aliquo impedimento, obstaculo aut reuocacione: Et si contingat me dictum Johannem, heredes meos, successores, executores, vel assignatos, vel eorum aliquem, in aliquo tempore futuro, presens factum contradicere, seu in aliquo articulo contra presentes donacionem, concessionem et confirmacionem aliquomodo contrauenire, quod absit; obligo me et heredes meos omnes et singulos, ac omnes terras nostras, in centum libris vsualis monete regni Scocie Decano et Capitulo Glasguensi, et in centum libris ad opera Sancti Kentigerni, et in centum libris capellano in dicto seruicio ministranti qui pro tempore fuerit, nomine pene sine remissione quacunque soluendis; subicientes me et heredes meos omnes et singulos iurisdiccioni et regulationi Officialis Glasguensis qui pro tempore fuerit, quod possit me et ipsos, per sentenciam excommunicacionis, monicione cum premissa, ad obseruacionem et perfeccionem presentis facti, et similiter ad plenariam solucionem eisdem predictarum summarum quocienscunque deficero, uel aliquis heredum meorum deficerit, in aliquo articulo premissorum ad iuris complementum distringere: Insuper facio, constituo, ac per presentes ordino Dominum Alexandrum de Mungumry, militem, Dominum meum

de Ardrossan, et Willelmum de Conynghame, Dominum de Glengernok, coniunctim et diuisim, ac heredes suos vniuersos et singulos, meos veros, legitimos et indubitatos procuratores; dans et concedens eisdem, et eorum cuilibet, meam plenariam potestatem, deficiente grata et bona solucione capellano predicto qui pro tempore fuerit debita, omnes et singulos heredes meos, terras nostras, omniaque et singula bona nostra, mobilia et immobilia, presencia et futura, ad manum suam capienda, ac in solucionem predicti capellani conuertenda; donec et quousque sibi fuerit satisfactum de suo salario plenarie et integre, de termino in terminum, et de anno in annum, nullo remedio iuris obstante in oppositum, proponendo: Et ego vero Johannes predictus et heredes mei, successores et assignati, predictum annuum redditum quinque marcarum, predicto capellano qui pro tempore fuerit, contra omnes mortales warantizabimus, acquietabimus ac per presentes imperpetuum defendemus: In cuius rei testimonium sigillum meum presentibus est appensum; et ad roborandum presens scriptum, sigillum honorabilis Domini, Domini Alexandri de Mungumry, militis, ac Domini mei de Ardrossane, cum instancia presentibus appendi procuraui; apud Ardrossane, duodecimo die mensis Marcii, anno Domini, M^mo^ CCCC^mo^ tricesimo octauo: Testibus, honorabilibus viris, Johanne Cambell et Johanne Kennady, militibus, Dominis de Lowdounhyll et Blarchan, Alexandro de Mungumry, filio et herede Domini de Ardrossane, Willelmo de Conyngham, Domino de Glengernok, cum multis aliis.

CHARTER by James of Crag to Richard Donaldsoun, of the temple lands of Eglishame, 10th April 1450.

39. OMNIBUS hanc cartam visuris vel audituris, Jacobus de Crag, filius et heres quondam Johannis de Crag, Domini eiusdem, Salutem in Domino sempiternam. Noueritis me, vtilitate mea pensata, dedisse, concessisse et hac presenti carta mea confirmasse dilecto meo Ricardo Donaldsoun, filio et heredi quondam Johannis Donaldsoun, omnes et singulas terras templarias cum pertinenciis, iacentes in dominio de Eglishame, infra regalitatem de Ranfrew; pro suis consilio et auxilio michi gratanter impensis sepius alias et illatis: Tenendas et habendas omnes et singulas terras templarias supradictas cum pertinenciis, in longitudine et latitudine prout iacent, predicto Ricardo, heredibus suis et assignatis, a me et heredibus meis, de domino superiore earundem, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in moris, marresiis, viis, semitis, aquis, stagnis, pratis, pascuis et pasturis, aucupacionibus, venacionibus, et piscacionibus, cum communi pastura ad dictas terras cum pertinenciis, et libero introitu et exitu ad easdem; ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficuis et aysiamentis, ac iustis suis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam procul quam prope, ad dictas terras cum pertinenciis spectantibus, seu iuste spectare valentibus in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento seu contradiccione quacunque: Reddendo inde annuatim dictus Ricardus, heredes sui et assignati, dominis superioribus earundem seruicia debita et consueta: Et ego vero dictus Jacobus et heredes mei, prefato Ricardo, heredibus suis et

assignatis, omnes et singulas dictas terras templarias cum pertinenciis contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus: Renunciando insuper predicto Ricardo, heredibus suis et assignatis, omni juris clameo, proprietate seu possessione quod vel quas habeo, habui, vel habere potero in vel ad dictas terras templarias, pro me et heredibus meis: ita quod ab omni actione earundem simus exclusi imperpetuum per presentes: Et si contingat me dictum Jacobum, heredes meos aut assignatos, seu quemcunque alium nomine nostro vel ex parte, contra presentem cartam meam donacionis et concessionis contrauenire, seu litem mouere, in iudicio vel extra, clam vel palam, directe vel indirecte; obligo me et heredes meos, executores et assignatos et quemcunque alium nomine nostro talia attemptantem, quibuscunque futuris temporibus, soluere fabrice ecclesie beati Kentigerni Glasguensis centum marcas vsualis monete Scocie nomine pene applicandas; et in centum marcis predicto Ricardo, heredibus suis et assignatis, nomine dampnorum, expensarum et interesse sine strepitu iudiciali persoluendis, ante cuiuscunque litis ingressum; presenti tamen carta in suo robore perpetuo permanenti: In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud le Nethercrag, decimo die mensis Aprilis, anno Domini M° CCCC° quinquagesimo: Presentibus, prouidis viris, Alexandro Lindyssay, filio et herede Johannis Lyndissay de Dunrod, Domino Willelmo Machame, Vicario de Eglisham, Willelmo Ker, balliuo de Eglisham, cum multis aliis.

CONFIRMATION of the above Charter by Henry of Leuyngstoun, Knight, Commendator of the order of St. John of Jerusalem, 26th October 1454.

40. VNIUERSIS et singulis presentes litteras inspecturis, Frater Henricus de Leuyngstoun, miles, Commendator preceptorie sacre domus Hospitalis ordinis Beati Johannis Jerosalem infra regnum Scocie generaliter constitutus, Salutem in omnium Saluatore: Noueritis nos quandam cartam Jacobi de Crag, factam Ricardo Donaldsoun, de terris templariis jacentibus in dominio de Eglishame, infra regalitatem de Ranfrew, vidisse, inspexisse et diligenter examinasse, non rasam, non obolitam, non cancellatam, non viciatam, nec in aliqua sui parte suspectam, sed omni prorsus vicio et suspicione carentem; cuius tenor sequitur sub hac forma: Omnibus [*etc. ut in No.* 39]: Quam quidem cartam in omnibus suis punctis, clausulis et articulis, modis, circumstanciis, forma pariter et effectu premissis, nos Frater Henricus, Commendator antedictus, approbamus, ratificamus, et pro nobis et successoribus nostris predicti ordinis imperpetuum confirmamus: Reseruatis tamen per omnia, nobis et successoribus nostris, annuis redditibus, vna cum omnibus aliis seruiciis, obitibus et consuetudinibus de dictis terris templariis debitis et consuetis: In cuius rei testimonium sigillum commune officii nostri presentibus est appensum, apud Torfichin, vicesimo sexto die mensis Octobris, anno Domini millesimo quadringentesimo quinquagesimo quarto: Presentibus, prouidis et circumspectis viris, fratre Heliseo Lany, nostri ordinis presbytero, Magistro Willelmo de Akinhede, Vicario de Torfichin, et Gawano de Levingstoun, scutifero, cum multis aliis.

CHARTER by King James II. to Alexander Lord Montgomery, of the lands of Kendloche of Raynsay, etc., 22nd May 1452.

41. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro, Alexandro Domino Montgomery, pro suo fideli seruicio nobis impenso et impendendo, totas et integras terras nostras de Kendloche de Raynsay, de Cathadyll, duas Touregeys, terras de Altgoulach, de Auchegallane, de Tymmoquhare, de Dongarre, et de Penreoch, cum pertinenciis, jacentes in Arane, infra vicecomitatum de Bute: Tenendas et habendas totas et integras terras supradictas cum pertinenciis, dicto Alexandro Domino Montgomery et heredibus suis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, brueriis et genestis, cum curiis et earum exitibus, herzeldis, bludewitis et merchetis mulierum, ac cum omnibus aliis et singulis libertatibus, commoditatibus, asiamentis, ac suis iustis pertinentiis quibuscumque, tam non nominatis quam nominatis, ad dictas terras cum pertinenciis spectantibus seu quouismodo spectare iuste valentibus in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento seu obstaculo quocumque: Faciendo inde annuatim dictus Alexander et heredes sui tres sectas apud Bute, in tribus curiis capitalibus ibidem singulis annis tenendis: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre, Wilelmo Episcopo Glasguensi, Wilelmo Domino Creichton, nostro Cancellario et consanguineo predilecto, dilectis consanguineis nostris, Georgeo Domino Seton, Andrea Domino de le Gray, Magistris Johanne Arrus, Archidiacono Glasguensi, et Georgeo de Schoriswod, Rectore de Cultre, clerico nostro: Apud Edinburgh, vicesimo secundo die mensis Maii, anno Domini millesimo quadringentesimo quinquagesimo secundo, et regni nostri decimo sexto.

CHARTER by King James II. to Alexander Lord Montegomery, and Margaret his spouse, of the lands of Roberstoune, 16th September 1453.

42. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilectis

consanguineis nostris, Alexandro Domino Montegomery et Mergarete sponse sue, et eorum alteri diucius viuenti, totam et integram terram de Roberstoune cum pertinenciis, jacentem in ballia nostra de Cunynghame, infra vicecomitatum nostrum de Are, vnacum seruicio omnium liberetenencium dictam terram inhabitancium; quequidem terra cum pertinenciis, vnacum seruicio liberetenencium eiusdem, fuit dicti consanguinei nostri, Alexandri Domini Montegomery, hereditarie; et quam terram, cum dicto seruicio, cum pertinenciis, idem Alexander, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud burgum nostrum de Perth, coram subscriptis testibus, personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignauit . . . Tenendam et habendam dictam terram de Robertstoune cum pertinenciis, vnacum seruicio omnium liberetenencium eiusdem terre, dictis Alexandro Domino Montegomery et Mergarete sponse sue, et eorum alteri diucius viuenti, et heredibus inter ipsos legittime procreatis seu procreandis; quibus forte deficientibus, veris legittimis et propinquioribus heredibus dicti Alexandri quibuscunque, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum . . . Faciendo inde nobis, heredibus et successoribus nostris dicti Alexander et Mergareta sponsa sua, et eorum alter diucius viuens et heredes inter ipsos legittime procreati seu procreandi; quibus forte deficientibus, veri legittimi et propinquiores heredes dicti Alexandri quicunque, seruicia de dicta terra annuatim nobis debita et consueta: In cuius rei testimonium presenti carte magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre, Jacobo Episcopo Sanctiandree, consanguineo nostro carissimo, Willelmo Domino Creichtoune, nostro Cancellario et consanguineo predilecto; dilectis consanguineis nostris, Patricio Domino le Grahame, Andrea Domino le Gray, magistro hospicii nostri, Johanne Domino Dernlee, Gilberto Kennedy de Dunnure, et Magistro Georgeo de Schoriswod, Cancellario Dunkeldensi, secretario nostro: Apud Perth, decimo sexto die mensis Septembris, anno Domini millesimo quadringentesimo quinquagesimo tercio, et regni nostri decimo septimo.

JAMES R.

DISCHARGE by Robert Crawfurde of Achinhamis and Archibald Crawfurde of Pryveke, to William Ker of Kerisland, 14th June 1462.

43. BE it maide kennyt till all men be thir present letteris, ws Robert Crawfurde off Achinhamis and Archibalde Crawfurde off Pryveke, coniunctly and seueraly, till hafe resawyte and fullely till haffe hade, be the handis off ane vorschipfull man, Vilzame Ker, Larde of Kerislande, in dawry, ane hundreth mark off vsuale mone off the kynric off Scotland, for all and hall the sovme acht till ws be the said Vilzam for the mariage off oure cusynge Archibalde Huntar, Larde off Ardneill, pertenande till ws, the quhilk forsuth mariage we sellyt and gaffe to the saide Vilzame Ker, to his dochtir Mergarete Ker, for the sayde sovme of ane hundreth mark as sayde is: Off the quhilk forsayde sovme of ane hundreth mark, we halde ws weyll content ande payit, and in all thinge acht for the

saide mariage fullely assythit for euermar; and the forsayde Vilzame, his ayeris and all vtheris quham it afferis, or may affer, for ws, our ayeris, and all vtheris quhilkis has or may haffe thar off be law or resoun ony interes, quhitclamys be thir oure presente letteris: In witnes off the quhilk thinge we the sayde Robert Craufurde and Archibalde Craufurde to thir oure presente letteris of quhitclame and discharge we haff hungyng oure propir seillis, at Achinhamys, the forten day off the moneth off June, the yher off oure Lorde a thoussande four hundreth sexty ande twa yheris.

Bond by David Liddayle, son and heir of John of Liddail of Lochttillo, to Sir William of Mungumbry of Giffin, Knight, 3rd November 1465.

44. Be it kend tyl al men be thir presente letteres, me Dauid Liddayle, sone and apperand ayr to Jhon of Liddail of Lochttillo, to be oblyst and bundyng, and be thir presente letteris, and be the fayth and trewth of my body, lelely and trevly bindis and oblisis me, til a vorchepful knycht, Schir Vilzham of Mungumbry of Giffin, that gif it hapyns the said Schir Vilzham, hys aris or hys assigneis, as God forbeyd it do, in ony tym tocum to be vext, inquiet or distrublyt in the possessyon, browyn and joysying of the landis of the Bar, and sex merkis vourth of Drumbuye, in the lordschyp of the Braydstayn, in the schirefdom of Are and the bailzery of Kyl, or in ony pairt of thaim, be me, my aris or myn assigneis, or ony vderys in myn or thair names, in priue or in a pert, in jugement or owtwith, of the said landis of the Bar and vi merkis vourth of Drumbue, or ony pairt of thaim; to be vonnon or recoueryt be ony law, canon or ciuil, be me, my arys or myn assigneis, or ony vtherys as sayd is in ony tym to cum; or the sayd Schir Vilzham, hys aris or assignes, or the tennandis of the sayd landis that hapnys to be for the tym, in ony tym heyr eftir, to be wext, inquiet, distrublyt, poyndyt, or distrenzhit, or be Vilzham of Liddayl vyf, or ony oderys that vald presume thaim tyl hayf entres in or to the sayd landis, be ony maner of clame of law, quhar throw the sayd Schir Vilzham, hys arys or assignes, brouk nocht nor joyse the sayd landis pessabilly with thair pertinentis; in that case I bind and obliss me, myn aris, executouris and assignes, be the fayth and trewth of my body, to the sayd Schir Vilzham, hys aris and assignes, in the some of thre hundreth powndis of gud and vsuale mone of Scotland, be cause of uray det, to be payt to the said Schir Vilzham, hys aris or assignes, apon the hie alter in the peryschce kyrk of Erwyn, at anis and to gidder, apon a day, betwex the sone risyng and the doun fallyng of that ilk, within the terme of fourty days next efter followand that I, my aris or assignes, or ony vderys in myn or thair names, or the said vyf of Vilzham of Liddail, be reson of thyrd, or ony vderys in hir name, hapnys to vex, inquiet or distruble the said Schir Vilzham, his aris or assignes, or hys or thair tennandis, in the possessioun, broukin or joysyng of the said landis of the Bar, and vi merkis vourth of Drumbuye, with thair pertinentis; and alsua the some of fourty poundis of the sayd mone to be pait the sayd day, terme, and place to the sayd Schir Vilzham, his aris or assignes, in name of costis, skaythis, and expensis, but

ony langer delay, cauillacioun, fraud, or gyil: To the paiment of the quhilk somes of thre hundreth poundis and fourty, veil and lelely to be pait at day and place forsayd, lachtful varnyng gayngand befor, to the said Schir Vilzham, his aris or assignes, maid be the said Dauid, his aris or assignes, be the space of twenty days; and fulfillyng of al and syndre thir thingis abufe vourtyng, I the said Dauid byndis and oblysis me, my aris, executouris and assignes, myn and thair landis, rentis, possessiones, and gudis mouebyl and vnmouebyl, had and for to be had; and in speciale al and syndre my landis of Lochttillo with pertinentis, to the said Schir Vilzham, hys aris, executouris, or assignes, in the mast strayt and sykkerest forme and styil of obligacion, al fraud, gyil, dissate and male engyn a vay put, na remeid, canoun nor ciuil, to be proponyt in the contrary: In vitnes of the quhilk thing to this presente vourt abufe vourtyng to be keipyt lelely and trevly, and be the fayth of my body, et sub pene camerarie sedis apostolice; be cause I hayf na propir seil of my awn, I hayf procuryt with instance the seyl of my derrest fader, hafand the force of myn, to be to pitt, at Edinburgh, the thyrd day of Nouember, in the zher of God, M CCCC sexty and fyf zheris, befor thir vitnes, Alexander Lord Montgomery, Vilzham Fergussil of that ilk, Archbald Boyd, broder germane to the Lord Boyd, James of Mungnmbry, with oderis diuerse.

DAUID LEDALL.

RETOUR of the Service of Alexander de Montgummery, as heir to his father Alexander de Montgummery, in the Bailiery of Conynghame, 17th June 1466.

45. INQUISICIO facta apud burgum de Linlithqw, in pretorio eiusdem, coram honorabilibus viris, Domino Johanne de Colquhone de eodem, milite, compotorum rotulatore supremi domini nostri Regis, et Magistro Dauid Guthre de Kincaldrum, thezaurario domini nostri Regis, vicecomitibus de Are in hac parte specialiter constitutis, decimo septimo die mensis Junii, anno Domini millesimo quadringentesimo sexagesimo sexto, per hos probos subscriptos, viz., Dominum Johannem de Achinlek de eodem, Dominum Johannem Chaumyr de Gaytgard, milites, Robertum de Crauford de Achynnamys, Johannem Coluil, Johannem Schaw, Quintinum Mure, Dauid Campbel, Hugonem Campbel, Edwardum de Coningham, Georgium Mure, Dauid Walace, Georgium Steuart, Willelmum de Achinlek, Johannem de Hamiltone, et Georgium de Foulartone: Qui jurati dicunt, quod quondam Alexander de Montgummery, pater Alexandri de Montgummery, latoris presencium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem domini nostri Regis, de officio balliuatus baronie de Conyngham cum pertinenciis, iacentis infra vicecomitatum de Ayre: Et quod dictus Alexander est legittimus et propinquior heres eiusdem quondam Alexandri, patris sui, de dicto officio cum pertinenciis: Et quod est legittime etatis: Et quod dictum officium cum pertinenciis valet per annum iustis feodis balliui solitis et consuetis, et tantum valebat tempore pacis: Et quod tenetur de supremo domino nostro Rege, tanquam Senescallo Scocie, per seruicium pertinens ad officium balliui, nomine albe firme: Et quod

dictum officium est in manibus domini nostri Regis, tanquam Senescalli Scocie, legittime perseipsum, causa mortis dicti quondam Alexandri, prefato herede jus suum hucusque minime prosequente, a tempore quatuordecim annorum: In cuius rei testimonium sigillum vicecomitum, vnacum sigillis quorundem super dictam inquisicionem existencium, breui regio incluso, presentibus est affixum, anno, die, mense et loco supradictis.

INSTRUMENT of RESIGNATION of the lands of Bolgaris, etc., in the hands of King James III., in favour of Humphrey Cunygam and Elizabeth Edmonstone, his spouse, 21st July 1467.

46. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum omnibus, quod anno Dominice Incarnacionis millesimo quadringentesimo sexagesimo septimo, die vero mensis Julii vicesima prima, indiccione prima, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli diuina prouidencia pape secundi, anno quarto: In mei notarii publici testiumque infrascriptorum presencia, personaliter constitutus nobilis vir, Johannes Chawmer de Gadgyrcht, miles, procurator honesti viri, Vilelmi Cunygam de Glengernok, legittime constitutus per litteras patentes dicti Vilelmi, sub eius sigillo sigillatas cera rubea, comparuit coram supremo domino nostro, Jacobo tercio, Scotorum Rege illustrissimo; et ibidem, ad genua prouolutus dictus Johannes, procuratorio nomine ut supra, omnes et singulas terras de Bolgaris cum pertinenciis, extendentes annuatim ad decem libras, de duabus Kilfassachis cum pertinenciis, extendentes annuatim ad decem mercas, et de Ballandallach cum pertinenciis, extendentes annuatim ad quinque mercas, jacentes in comitatu de Lennax, infra vicecomitatum de Striueline, in manus dicti supremi domini nostri Regis, per fustem et baculum sursum reddidit, pure simpliciterque resignauit, ac totum ius et clameum que in dictis terris cum pertinenciis, pro se et heredibus suis omnino quitclamauit in perpetuum: Qua quidem resignacione sic facta, supremus dominus noster Rex, ipsas terras de Bolgaris cum pertinenciis, duabus Kilfassachis cum pertinenciis, et Ballandallacht predictas, que ante dictam resignacionem fuerunt Vilelmi Cunygam hereditarie, honesto viro, Vmfrido Cunygam, nepoti et heredi apparenti dicti Vilelmi, et Jacobo Schaw, actornato Elisabetht de Edmonstone, sponse dicti Vmfridi, et eorum alteri diucius viuenti, et liberis inter dictos Vmfridum et Elisabetht procreatis seu procreandis; quibus forte deficientibus, heredibus legittimis dicti Vilelmi Cunygam de Glengernok quibuscunque, secundum tenorem carte dictis Vmfrido et Elisabetht desuper conficiende, contulit et donauit cum effectu: De et super quibus omnibus et singulis predictis, dicti Vmfridus et Jacobus Schaw, diuisim alter eorum, petiit instrumentum, vnum aut plura, a me notario publico subscripto, et coram testibus subscriptis: Acta erant hec apud Edinburcht, in camera dicti domini nostri Regis in castro, hora quasi decima ante meridiem vel eocirca, sub anno, die, mense, indiccione, pontificatuque quibus supra: Presentibus ibidem, reuerendis in Christo patribus, Andrea Episcopo Glasguensi, Thoma Episcopo Aberdonensi, Andrea Domino Awendale ac Cancellario Scocie, Colino Comite de Ergil, Roberto Domino Boid, Magistris Jacobo Lindsay, Preposito de Lyncloudane, nostri

secreti sigilli custode, Dauid Guthre de eodem, Archbaldo Quitlaw, Decano de Dunbar, nostro secretario, testibus cum multis aliis.

Et ego Johannes Patricii, presbiter arciumque magister Glasguensis diocesis, publicus notarius, quia, etc.

JOHANNES PATRICII.

CHARTER by Hugh of Muntgumry of Thorntoun to Marjory Flemyng, and John de Muntgumry, his eldest son and heir, on their marriage, of the lands of Owyr Thorntoun, 22nd November 1468.

47. OMNIBUS hanc cartam visuris vel audituris, Hugo de Montgumry de Thorntoun, Salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse dilectis meis, Mariote Flemyng et Johanni de Muntgumry, filio meo primogenito et apparenti heredi, et eorum alteri diutius viuenti, in coniuncta feodatione, causa maritagii et matrimonii inter eos complendorum, omnes et singulas terras meas de Owyr Thorntoun cum pertinentiis, jacentes in dominio meo de Thorntoun et vicecomitatu de Raynfrow: Tenendas et habendas omnes et singulas prenominatas terras cum pertinentiis, prefatis Mariote et Johanni, sponso suo, et eorum alteri diutius viuenti, in coniuncta feodatione, et heredibus suis masculis inter ipsos legitime procreandis; quibus forte deficientibus, veris legitimis et propinquioribus heredibus meis quibuscunque plenarie reuertendas, de me et heredibus meis, in feodo et hereditate imperpetuum. . . . Reddendo inde annuatim dicti Mariota et Johannes eiusdem sponsus, et eorum alter diutius viuens, et heredes sui masculi inter eosdem legitime procreandi, michi et heredibus meis, vnum denarium argenti, in festo Penticostes, super solum dictarum terrarum, nomine albe firme, si petatur tantum, pro omni alio onere . . . In cuius rei testimonium sigillum meum presenti huic carte mee est appensum, apud Thorntoun, vicesimo secundo die mensis Nouembris, anno Domino millesimo quadringentesimo sexagesimo octauo: Hiis testibus, Domino Alexandro Hume de eodem, milite, Alexandro Hume, suo herede apparenti, Domino Archibaldo de Hamiltoun de Ennerwic, milite, Patricio Home, Dauid de Edyngton, et Domino Willelmo Bel, Rectore de Vpsittlingtoun, cum multis aliis.

INSTRUMENT of REVOCATION by Jonet Houstoun, relict of William Montegomori of Gyffin, militis, 10th March 1471.

48. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini millesimo quadringentesimo septuagesimo primo, die uero mensis Marcii x^mo^, indictione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti diuina prouidencia pape quarti, anno primo: In mei notarii publici et testium subscriptorum presencia, personaliter constituta honorabilis mulier, Domina Joneta Houstoun,

relicta quondam honorabilis viri, Wilelmi Montegomori de Gyffin, militis, citra decimam quintam diem, ut asseruit, post decessum dicti Wilelmi, mariti sui; omnes et singulas donaciones, alienaciones, assedaciones ad terminos, obligaciones et assignaciones terrarum quondam suarum, annuorum reddituum et firmarum per prefatum quondam Wilelmum Montegomori de Giffyn, militem, suum maritum, factas quibusuis personis, tempore quo ipsa Joneta dicto viro quooperta extitit, et signanter de terris de Wrechthill, factas Roberto Montegomori suo primogenito, et sue sponse ad annum, reuocauit, cassauit et adnullauit; protestans solemniter quod huiusmodi donaciones, alienaciones, assedaciones, obligaciones, et assignaciones, facte tempore quo supra, sibi quo ad suam legittimam terciam partem et iunctam feodacionem ratione coniugii se concernentes, minime cederent in preiudicium: Super quibus omnibus et singulis sic premissis, petiit dicta Domina Joneta, a me notario publico, sibi fieri publicum instrumentum: Acta fuerunt hec apud burgum de Irwyne, in opella Wilelmi Stoupishill, burgensis eiusdem, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem honorabilibus, prouidis et discretis viris, dicto Roberto Montegomori, suo primogenito, Wilelmo Stoupishill, Wilelmo Petcon, Domino Patricio, Curato de Betht, Willelmo Conalli et Johanne Barr, testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Symontoun, presbyter Glasguensis diocesis, publicus imperiali et regali autoritatibus notarius: Dicte reuocacioni, premissisque omnibus, etc.

JOHANNES SYMONTOUN.

CHARTER of CONFIRMATION by John Earl of Leuenax of a Charter by Adam of Conyngham, Lord of Caprountoun, to Alexander Conynghame of Mureth, of the lands of Colysfelde, 1st and 2nd April 1475.

49. SCIANT presentes et futuri, nos Johannem Comitem de Leuenax, Dominum Dernle et de Torboltoun, quandam cartam factam dilecto nostro, Alexandro Conynghame de Mvreth, super donacione et concessione terrarum de Colysfelde cum pertinenciis, jacencium in baronia nostra de Torboltoun, infra vicecomitatum de Are, per dilectum nostrum, Adam de Conyngham, Dominum de Caprountoun, eiusque sigillo sigillatam, sanam, integram, non cancellatam, nec abolitam, aut in aliqua sui parte suspectam, sed omni prorsus vicio aut suspicione carentem, inspexisse, et ad plenum intellexisse, sub hac uerborum forma: Omnibus hanc cartam visuris vel audituris, Adam de Conyngham, Dominus de Caprontoun et de Colisfeld, Salutem in Domino sempiternam: Noueritis me, ex bono avisamento et matura deliberacione, dedisse, concessisse, et hac presenti carta mea confirmasse dilecto avunculo meo, Alexandro Conyngham de Mureth, pro suis auxilio, consilio et seruicio michi impensis et impendendis, omnes et singulas terras meas de Colisfeld cum pertinenciis, jacentes in baronia de Torboltoun, infra vicecomitatum de Are: Tenendas et habendas predictas terras de Colisfeld cum pertinenciis, predicto Alexandro et heredibus suis masculis de suo corpore legittime procreatis seu procreandis; quibus deficientibus, michi et heredibus meis libere

reuersuras. de me et heredibus meis. in feodo et hereditate imperpetuum . . . Reddendo inde annuatim michi et heredibus meis predictus Alexander et heredes sui masculi de suo corpore legittime procreati uel procreandi. wardam et releuium. et tres sectas curie mee de Waylstoun. ad tria videlicet placita capitalia. pro omni alio onere . . . In cuius rei testimonium sigillum meum presenti carte mee est appensum. apud Renfrew. primo die mensis Aprilis. anno Domini millesimo quadringentesimo septuagesimo quinto: Hiis testibus. Roberto Domino Lyle. Adam Walace de Crago. Wilelmo Parke de eodem. Gilberto Lyndsay de Glenmor. et Roberto Walace. cum multis aliis: Quamquidem cartam in omnibus punctis et articulis. modis et circumstanciis suis. forma pariter et effecta. in omnibus et per omnia vt suprascriptum est. nos. Johannes Comes de Leuenax. Dominus Dernle et de Torboltoun antedictus. pro nobis. heredibus et successoribus nostris. ratificamus. approbamus. et efficaciter pro perpetuo confirmamus: saluis seruitiis nostris: In cuius rei testimonium sigillum nostrum presenti nostre confirmationis carte iussimus et fecimus appendi. apud Renfrew. secundo die mensis Aprilis. anno Domini millesimo quadringentesimo septuagesimo quinto.[1]

CHARTER by William Dauidson of Snodgers to William Arthurle, Vicar of Kylbyrne, of the lands of Snodgers, 1st April 1477.

50. OMNIBUS hanc cartam visuris vel audituris, Wilelmus Dauidson de Snodgers. Salutem in Domino sempiternam: Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse Wilelmo Arthurle, Decretorum Doctori, ac Vicario de Kylbyrne, pro suis consilio, auxilio, fauore et beneficiis gratuitis michi multipliciter impensis, totas et integras terras meas de Snodgers cum pertinenciis, jacentes secus litus aque de Gernok, infra vicecomitatum de Ayre et dominium de Conigham: Tenendas et habendas totas et integras prenominatas terras de Snodgers cum pertinenciis, de domino nostro Senescallo Scocie et suis successoribus, predicto Willelmo Arthurle, doctori, heredibus suis et assignatis quibuscunque, in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnam rosam in festo Sancti Johannis Baptiste, super solum dictarum terrarum, nomine albe firme, tantummodo si petatur . . . Et ego uero dictus Wilelmus Dauidson, [et] heredes mei, confirmacione dicti domini nostri Senescalli, domini mei superioris, presentis carte mee obtenta seu obtinenda, et per me affectata desiderata, prenominatas terras cum pertinenciis, predicto Wilelmo Arthurle, presbytero, heredibus suis uel assignatis, in omnibus et per omnia, modo, forma pariter et effectu quibus supra, contra omnes mortales varantizabimus acquietabimus et in perpetuum defendemus: Reseruando tamen michi Wilelmo, et Helene sponse mee, nostrorumque diucius viuenti, post lapsum annorum assedacionis prius facte dicto Willelmo Arthurle complendorum, tocius dimeditatis omnium et singularum dictarum terrarum cum

[1] In an old indorsation of this charter, it is stated that Alexander Conyngham of Mureth was 'the first of Akett.'

pertinenciis liberum tenementum quam diu vixero uel vixerit in humanis: In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Glasgw, die prima mensis Aprilis, anno Domini millesimo quadringentesimo septuagesimo septimo, coram hiis testibus, videlicet, Magistro Henrico Newton, arcium magistro, Dominis Johanne Gray, Dauid Burntoun, presbyteris, Jacobo Crawfurd, seniore filio Archibaldi Crawfurde de Monkisland, scutifero, Johanne Quhite, et Roberto Arthurle, burgense ciuitatis de Glasgw, cum diuersis aliis testibus.

CHARTER by John, Earl of Leuenax, to Adam Cwnyngam of Caprontoun, of the lands of Colisfeld, 21st March 1477.

51. OMNIBUS hanc cartam visuris vel audituris, Johannes Comes de Leuenax, Dominus Dernle, ac baronie de Torboltoun, Salutem in Domino sempiternam: Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro, Ade Cwnyngam de Caprontoun, omnes et singulas terras de Colisfeld, jacentes infra baroniam de Torboltoun et vicecomitatum de Are, pro suis seruicio, concilio et auxilio, nobis gratanter impensis: Tenendas et habendas predictas terras cum pertinenciis, dicto Ade et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Adam et heredes sui nobis et heredibus nostris, vnum denarium vsualis monete regni Scocie, nomine albe firme, super solum dictarum terrarum, in festo Trinitatis, si petatur tantum, pro omni alio onere . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum, apud castrum nostrum de Crukistoun, vicesimo primo die mensis Marcii, anno Domini millesimo quadringentesimo septuagesimo septimo, coram hiis testibus, Adam Wales de Cragow, Dauid Blare de Adamtoun, Roberto Stewart, fratre nostro, Johanne Stewart, filio nostro, Alexandro Cwnighame de Mwreth, Magistro Johanne Blare, Vicario de Maboile, notario publico, et Roberto Wales, cum multis aliis.

GRANT by Alexander first Lord Home to Thomas Home, his son, of the frank tenement of the lands of Castiltovne, etc., 13th April 1478.

52. TYLL all and syndry to quhais knavlagis thir present letteris sal to cum, Alexander Lorde Home, Gretyng in Gode ay lestyng: Vyt ze me that forsamekyll as Thomas Home, my sone, is in state of the fee of the landis of Castiltovne, Kyrkwode, Creoblare, Makbehill, Galoberis, Langschawis, and Quhit Leys, lyand within the lordschip of Stewartowne within the scherrafdome of Hayr; til haf gyffyn and grantit, and be this my present wryt to haf confermyt till the said Thomas, al [and] hail the franktenement of the said landis of Castiltowne, Kyrkwode, Creoblare, Makbehill,

Galoberis, Langschawis, and Quhitleyis: To be haldyne and hade al and hale the franktenement of the said landis to the said Thomas, induryng all the dayis of my lyffe, with al fredomys, profyttis, esmentis and rychtwis pertinentis to the franktenement of the said landis pertenande, or ony maner of way rychtwysly may pertene; and als frely, quyetly, vele and in pes, as ony franktenement of ony landis ar geffyne or may be gyffyne within the kynryk of Scotlande, with outyn reuocacione, obstekle, questyone or demande to be maid thairin be me, or ony other in my name, euer mayre in tyme to cum: In vytnes of the quhylk thyng I haf set to my sele, at Dunglas, the xiii day of Aprill, the zer of Gode a thovsande four hundreth sevynte and aucht zeris, be for thir vitnes, Schir Archbald of Hammyltone, Larde of Ennervyk, Alexander of Cokborne, sone and apperand ayr to the Larde of Langtone, Jhone of Muntgomery, Larde of Thorntone, Robyn Androson of Kello, Schir James Flemyng, Person of Chyrnsyde, Schir Alexander Bevkles, Person of Polwort, and Schir Jhone Stevynson, chaplane, with otheris dyuers; and for the mair sekyrnes I haff subscribit it with myn avn hande.

Instrument of Publication of the above Grant, 2nd May 1478.

53. In Dei Nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini M^mo^ CCCC^mo^ septuagesimo octauo, die secunda mensis Maii, indictione vndecima, pontificatus sanctissimi in Christo patris et domini, domini nostri Sixti diuina prouidencia pape quarti, anno septimo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir, Dominus Jacobus Flemyne, Rector de Cherynsyde, mihi notario publico quandam literam nobilis et potentis domini, Alexandri Domini le Home, pergamino scriptam, suo sigillo sigillatam, tradidit perlegendam, copiandam, et in publicam formam instrumenti publicandam; cuius quidem littere tenor sequitur in hec uerba: Tyl al and syndry, (*etc. ut supra, No.* 52): Super quibus predicta liberi tenementi donacione et concessione predictarum terrarum cum suis pertinenciis, necnon omnibus aliis premissis, dictus Thomas Home a me notario publico subscripto sibi fieri petiit publicum seu publica instrumentum seu instrumenta: Acta erant hec super fundum predictarum terrarum, in loco qui dicitur Galowbery, hora quasi decima ante meridiem, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, nobilibus et discretis viris, Vilelmo Valace de Cragyne, milite, Johanne Valace, filio et herede predicti Vilelmi apparente, Magistro Johanne Valace, fratre dicti Domini Vilelmi, Roberto Mungumry de Bradstan, Constantino Dunlop de eodem, Johanne Arnvt, Arthuro Boyde, Andrea Dunlop, et Villelmo Rudepetht, cum multis aliis.

Et ego Johannes Reid presbyter Glasguensis diocesis, imperiali et regali auctoritatibus notarius publicus, predicte litere tradicioni, perleccioni et publicacioni, presens cum prenominatis testibus personaliter interfui, etc.

JOHANNES REID.

INSTRUMENT of DELIVERY of forty-eight cows by the Procurator for Alexander Lord Home, and Margaret his spouse, to Thomas Home, their son, 2nd May 1478.

54. IN Dei Nomine Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini M^mo^ CCCC^mo^ septuagesimo octauo, die secunda mensis Maii, indictione vndecima, pontificatus sanctissimi in Christo patris et domini, domini nostri Sixti diuina prouidencia pape quarti, anno septimo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir, Dominus Jacobus Flemyne, rector de Cherynsyde, procurator et eo nomine habens et ostendens mandatum et procuratorium in meliore et publica forma nobilis et potentis domini, Alexandri Domini le Home, necnon et Domine Margarete, sponse predicti Domini Alexandri, eorundem sigillis sigillatum, prout mihi notario publico luculenter constabat, et tradidit perlegendum et publicandum: Cuius litere siue procuratorii vigore seu mandati specialis, ipse Dominus Jacobus Flemyng, procurator et eo nomine quo supra, accessit personaliter ad quedam loca dicta le Galovberyis, infra dominium de Stewartoun et vicecomitatum de Ayr jacentia; et ibidem super fundum dictarum terrarum de Galovberyis recepit a tenandis eiusdem quadraginta octo vaccas fetas, nomine et ex parte predictorum Domini Alexandri, et Domine Margarete, eius sponse: Post quamquidem recepcionem earundem vaccarum, ipse Dominus Jacobus Flemyne, procurator et eo nomine predictorum Alexandri et Margarete, et de eorum speciali mandato, predictas quadraginta octo vaccas fetas nobili armigero, Thome Home, filio naturali eorundem Domini Alexandri et Domine Margarete, libere donauit et in vsus suos pro perpetuo tradidit et assignauit, et ad disponendum de predictis vaccis ad libitum sue voluntatis easdem vaccas plenarie deliberauit, absque aliqua reuocacione in futuris: Et ad omnia ista predicta facienda ipse Dominus Jacobus humiliter et plane ostendit potestatem et mandatum speciale: Super quibus omnibus premissis predictus Thomas Home a me notario publico sibi fieri petiit publicum instrumentum seu publica instrumenta: Acta erant hec super solum dictarum terrarum de Galovberyis, hora quasi nona ante meridiem, sub anno, die, mense, indictione, et pontificatu quibus supra: Presentibus, prouidis et discretis viris, videlicet, Roberto Mungumry de Bradstane, Constantino Dunlop de eodem, Johanne Arnvt, Arthuro Boyde, Andrea Dunlop et Vilelmo Reidpetht, cum multis aliis testibus vocatis et requisitis.

Et ego Johannes Reid, presbyter Glasguensis diocesis, imperiali et regali auctoritatibus notarius publicus, predictarum vaccarum recepcioni et deliberacioni, omnibusque aliis et singulis, etc.

JOHANNES REID.

PROCURATORY of RESIGNATION by Alexander Lord Home, of the lands of Langschawis, etc., 31st May 1479.

55. EXCELLENTISSIMO principi supremoque domino nostro, domino Jacobo tercio Scotorum Regi illustrissimo ac tutori et gubernatori serenissimi domini sui filii primogeniti, domini Jacobi Ducis de Roithzay, Comitis de Carrik, Domini de Cunynghame, Senescalli Scocie, etc.; suus humilis ligius subditus et seruitor, Alexander Dominus Home, seipsum, cum omni subieccione et famulatu, ad sursum reddendum, deliberandum, ac pure et simpliciter resignandum, in manibus vestre celsitudinis, tanquam in manibus tutoris et gubernatoris dicti domini Ducis, omnes et singulas terras meas de Langschawis, Cassyltone, Galovberys, Quhytleyis, Robertlande, Chreoblare, Kyrkwode, et de Makbehyll, cum pertinenciis, jacentes in dominio de Stewartone, infra vicecomitatum de Are, quas de dicto domino Duce, etc., tanquam Senescallo Scocie, teneo in capite; prouidos viros, Dominum Johannem Stevart, Dominum de Dernlye, Georgium Maxvell de Karnsalovch, Jhohannem Tovrys, filium et apparentem heredem Wilelmi Tovrys de Innerleth, Georgium Tovrys et Thomam Zhar, burgenses burgi de Edynburch, ac eorum quemlibet, coniunctim et diuisim, meos veros, legittimos, irreuocabiles et indubitatos procuratores ac nuncios speciales, facio, constituo et ordino tenore presencium literarum: Ratum et gratum habens et habiturus, pro me et heredibus meis irreuocabiliter pro perpetuo, totum et quicquid dicti mei procuratores, vel eorum aliquis, coniunctim vel diuisim, in premissis duxerint uel duxerit faciendum: Quas eciam terras predictas cum pertinenciis, ego dictus Alexander, non vi aut metu ductus, nec errore lapsus, sed mea pura spontanea voluntate, in manus vestras, tanquam tutorem predictum, sursum reddo, pure et simpliciter resigno per presentes; ita quod facta dicta resignacione vobis, nomine tutorio predicto, leciat de dictis terris disponere ad vestrum libitum voluntatis: In cuius rei testimonium sigillum meum presentibus est appensum, apud Dunglas, vltimo die mensis Maii, anno Domini millesimo quadringentesimo septuagesimo nono, coram hiis testibus, Domino Jacobo Flemyng, Rectore de Chyrnsyde, Domino Alexandro Bewclas, Rectore de Polwort, Roberto Anderson et Wilelmo Veddale, cum multis aliis.

CHARTER by Hugh Lord Mwntgumri and Giffyng, to Alexander Mwntgumry younger of Giffyng, and Jonet of Dunlop, his spouse, of the lands of Bar, 29th August 1483.

56. OMNIBUS hanc cartam visuris vel audituris, Hugo Dominus Mwntgumri et Giffyng, Salutem in Domino sempiternam: Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse . . . prouido viro, Allexandro Mwntgumry, filio et apparenti heredi Roberti Mwntgumry de Giffyng, et Jonete de Dunlop sponse sue, et eorum alteri diucius viuenti, pro vera affeccione quam habeo erga ipsos, omnes et singulas quinque mercatas terrarum antiqui extentus de Bar cum pertinenciis, jacentes in dominio de Giffyng, in ballia de Conygham et infra vicecomitatum de Air; quas quidem quinque mercatas terrarum antiqui extentus de Bar cum pertinenciis,

dictus Robertus Mwntgumry de Giffyng, non vi aut metu ductus, nec errore lapsus, dolo seu fraude deceptus, sed sua libera, mera, pura et spontanea voluntate commotus, vtilitate sua vndique visa et pensata, per fustem et baculum, vt moris est, pure et simpliciter, in manibus meis resignauit, tanquam in manibus domini superioris earundem, in presencia testium subscriptorum: Tenendas et habendas . . . dicto Allexandro Mwntgumry et Jonete Dunlop sponse sue, et eorum alteri diucius viuenti, in conjuncta infeodatione, et heredibus masculis inter ipsos legittime procreatis seu procreandis; quibus forte deficientibus, dicto Roberto et veris legittimis et propinquioribus heredibus masculis suis quibuscunque, de me et heredibus meis, in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . seruicia de dictis terris de Bar debita et consueta . . . In cuius rei testimonium sigillum meum proprium presenti carte mee est appensum, apud predictas terras de Bar, antepenultima die mensis Augusti, anno Domini M^mo^ CCCC^mo^ octuagesimo tercio, coram his testibus, Johanne Mungumry, filio et herede Domini Mungumry, Roberto Mungumry, Domino de Geffyne, Magistro Georgio Mungumry, Rectore de Egilisame, Magistro Constantino Mungumry, Magistro Vilelmo Spreull, Domino Thoma Petcon, capellano, cum multis aliis.

INSTRUMENT of SASINE in favour of Hugh Lord Montegomori, of the lordship of Ardrossane, etc., 5th June 1484.

57. IN Dei Nomine, Amen: Per hoc presens publicum Instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini, millesimo quadringentesimo octuagesimo quarto, die uero mensis Junii quinto, Indictione secunda, Pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti diuina prouidencia pape quarti, anno tercio decimo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir, Hugo Montegomori, miles, pronepposque et heres quondam magni et potentis domini, Alexandri Domini Montegomori, quoddam breue de sasina capelle supremi domini nostri Regis nobili viro Georgio Campbell de Lowdoun. militi, vicicomiti de Air, presentauit; quodquidem breue dictus dominus vicicomes reuerenter ad manus recepit, et per me notarium subscriptum alta et intelligibili voce perlegi fecit, huius sub tenore: Jacobus Dei gracia Rex Scotorum, Vicicomiti et balliuis suis de Air, Salutem: Quia per inquisicionem de mandato nostro per vos factam et ad capellam nostram retornatam, compertum est quod quondam Alexander Dominus Montegomori, proauus Hugonis Montegomori, latoris presencium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem nostram de totis et integris terris et dominio de Ardrossane, extendentibus in integro ad centum viginti libratas terrarum antiqui extentus, cum earundem castro et fortilicio, vnacum Seilcrag insula, vna petra cere albe de terris de Monfoid annuatim exeunte, ac cum piscatura de Eist Saltcottis, ac tenandriis et pertinenciis: Et de totis et integris terris et dominio de Eglintoun, extendentibus in integro ad quadraginta mercatas terrarum antiqui extentus, cum earundem turre et fortilicio, tenandriis et pertinenciis: Et de totis et integris terris et dominio de Robertoun, extendentibus

in integro ad quadraginta libratas terrarum antiqui extentus, cum tenandriis et pertinenciis, jacentibus in baronia de Conynghame, infra balliam vestram: Et quod dictus Hugo est legitimus et propinquior heres eiusdem quondam Alexandri, proaui sui, de dictis terris et dominiis cum fortiliciis, vnacum Seilcrag insula, ac vna petra cere albe de terris de Monfoid annuatim exeunte, ac cum piscatura de Eist Saltcottis, tenandriis et pertinenciis: Et quod est legittime etatis: Et quod de carissimo nostro filio primogenito, Jacobo Duce de Rothsay, Comite de Carrik, Domino de Kile et Conynghame, tenentur in capite: Nos, tanquam tutor et gubernator dicti nostri filii, vobis precipimus et mandamus quatenus, prefato Hugoni, vel suo certo attornato, latori presencium, sasinam dictarum terrarum et dominiorum cum suis fortiliciis, vnacum Seilcrag insula, ac vna petra cere albe de terris de Monfoid annuatim exeunte, ac cum piscatura de Eist Saltcottis, tenandriis et pertinenciis, iuste haberi faciatis et sine dilatione: Saluo iure cuiuslibet: Certificantes auditores scaccarii nostri si firme dictarum terrarum et dominiorum cum tenandriis et pertinenciis, existencium in manibus nostris, tanquam in manibus tutoris dicti nostri filii, per spacium quatuordecim annorum, racione warde, deuenerunt ad vsus nostros per dictum tempus; que firme dictarum terrarum et dominii de Ardrossane cum tenandriis et pertinenciis extendunt annuatim ad ducentas quadraginta libras; et que firme dictarum terrarum et dominii de Eglintoun cum tenandriis et pertinenciis extendunt annuatim ad quadraginta libras; atque firme dictarum terrarum et dominii de Robertoun cum tenandriis et pertinenciis extendunt annuatim ad sexaginta libras: Et hoc nullo modo omittatis: Teste meipso, apud Edinburgh, septimo die mensis Maii, anno regni nostri vicesimo quarto: Cuiusquidem breuis vigore dictus dominus vicicomes personaliter accedens, primo ad dictas terras et dominium de Robertoun, deinde ad dictas terras et dominium de Eglintoun, postea uero ad dictas terras et dominium de Ardrossane et ad Seilcrag insulam, et ad terras de Monfoid, et post ad littora maris de Eist Saltcottis, et consenquenter ad tenandrias dicti dominii de Ardrossane non contigue jacentes, videlicet, ad viginti mercatas terrarum antiqui extentus de Carrisland, deinde ad quinque libratas terrarum antiqui extentus de Badlen, et postremo ad decem libratas terrarum antiqui extentus de Skelmurlye; ibidem de omnibus et singulis predictis terris et dominiis, cum suis fortiliciis et de Silecrag insula, ac petra vna cere albe de terris de Monfoid annuatim exeunte, et de piscatura de Eist Saltcottis suprascriptis, cum omnibus et singulis pertinenciis, secundum dicti breuis tenorem, prefato Domino Hugoni de Montegomori, militi, separatim et successiue, per terre et lapidis tradicionem, ut moris est, sasinam hereditarie tradidit et deliberauit imperpetuum: Super quibus omnibus et singulis prefatus nobilis et potens dominus, Hugo Dominus Montegomori, petiit per me notarium publicum sibi fieri vnum vel plura, publicum seu publica, instrumentum aut instrumenta: Acta fuerunt hec super solum dictarum terrarum et locorum prescriptorum, inter horas sextam ante meridiem et quartam post meridiem, mediante certo interuallo temporis ad tantos labores requisito, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, honorabilibus et discretis viris, Roberto Boyd, Domino Portincors, Johanne Campbel, filio dicti domini vicicomitis, Andrea Lockhert, primogenito Jacobi Lokhert de Bar, Dauid Campbel de Clongawe, Murthaco

Nesbit, Wilelmo Campbel et Andrea Campbell de Hevidis, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Symonton, presbiter Glasguensis diocesis, publicus imperiali et regali autoritatibus notarius, premissis etc.

PROCURATORY by Hugh Lord Montegomery to John Montegomery of Giffyn and others, for receiving sasine of the lands of Wrychthill, 6th September 1484.

58. BE it kend til al men be thir present letteris, me Hev Lord Montegomery, til haf maid, constitute, and ordanit, and be thir my present letteris, makis, constitutis, and ordanis my beluffit cusing, Johne Montegomery of Giffyn, Davy Montegomery, and Wilzam Ker, my verray lachfull attournays and procuratouris, for me and in myn naym to rasaif heretabil state of the landis of the Wrychthill with thair pertinentis, and the annuel of Drumdow, eftir the tenour of the Kingis precep: Giffand and grantand to the for saidis Johne, Davy, and Wilzam, my full power and speciale mandment to do and til vse in my for said naym, and specialy in the state taking fra the handis of our soueran lordis officiaris, quhatsumeuer thai be the scheref or his deputis: Haldand and for to hald ferme and stabil al and sindrie thingis that my for said attornais or procuratouris leiddis lachfully to be done in my naym, and specialy in the rasaifyng of the state for said, lyk as I wald do my self, and I present war in propir person: In witnes of the quhilk thing I haf set to my propir seil at Ardrossane, the vi day of the moneth of September, the zer of our Lord athousand fourhundereth achty and four zeris.

INSTRUMENT of REVOCATION by Hugh Lord Montgumry, of all grants by him in his minority, 11th October 1484.

59. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini I.M iiii.c octuagesimo quarto, die vero mensis Octobris xi.o, indictione 3.a, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti diuina prouidencia pape quarti, anno xiiii.o: In mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis et potens dominus, Hugo Dominus Montgumry, nondum, ut asseruit, xxiiii annum nactus; omnes et singulas concessiones, donaciones, terrarum confirmaciones, et obligaciones, tam hereditarias quam vitales, suo sigillo aut scriptura manuali per se factas, seu quibusvis personis concessas et deliberatas, ipso in illegittima etate existente, reuocauit, cassauit, et adnullauit signanter, cartas, literas, et euidencias, suo sigillo munitas, factas et concessas super certis terris quondam Hugoni Montgumry, alumpno suo, ipso Domino Hugone in etate prelibata, ac sub munimine et tutela ipsius quondam Hugonis, alumpni sui prelibati, existente; protestans solemniter quod huiusmodi concessiones, donaciones, confirmaciones, aut euidencie prenotate, sibi et heredibus suis minime cederint in preiudicium; pensata sua ille-

gittima etate prelibata: Super quibus omnibus et singulis sic premissis, dictus nobilis et potens dominus, Hugo Dominus Montgumry, a me notario publico subscripto sibi fieri petiit publicum instrumentum: Acta fuerunt hec infra castellum de Ardrossan, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem discretis et probis viris, Dominis Hugone Peticrw, Vicario de Dalmelintoun, Vilelmo Ricartoun, presbytero, et Villelmo Lekpreuik, armigero, primogenito et apparente herede Domini de Lekpreuik, testibus ad premissa vocatis pariterque rogatis.

Et ego Johannes Symontoun, presbyter Glasguensis diocesis, publicus imperiali et regali autoritatibus notarius, quia etc.

JOHANNES SYMONTOUN.

REMISSION by King James IV. to Hugh Lord Montgumery, 14th October 1488.

60. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quod ex nostra gracia speciali ac pro bono gratuitoque seruicio nobis per consanguineum nostrum Hugonem Dominum de Montgumry impenso, et specialiter in campo bellico prope Striuelin, in die Sancti Barnabe vltimo elapsi, remisimus eidem Hugoni rancorem animi nostri, sectam regiam, et omnem actionem quem et quas erga ipsum concepimus, habemus, seu habere poterimus, pro destructione et deiectione loci siue domus de Turnelaw, et pro rapina certorum bonorum de eisdem loco et domo; et pro omnibus aliis criminibus, offensis et accionibus quibuscunque, per predictum Hugonem vsque in diem nostre proclamacionis facte apud Lanark super concessione remissionum, viz., vicesimum nonum diem mensis Augusti ante datam presencium vltimo elapsi, commissis seu quomodolibet perpetratis; dummodo partibus conquirentibus et dampna passis taliter satisfaciat, quod nullam super hoc de cetero iustam querimoniam audiamus; et supradictum Hugonem sub firma pace et proteccione nostra iuste suscepientes, firmiter inhibemus ne quis ei occasione transgressionum predictarum malum, molestiam, iniuriam, seu grauamen aliquod inferre presumat iniuste, super nostram plenariam forisfacturam, aut mortem ei inferat, sub pena amissionis vite et membrorum: In cuius rei testimonium has literas nostras remissionis, pro toto tempore vite dicti Hugonis duraturas, sub magno sigillo nostro sibi fieri fecimus patentes, apud Edinburgh, decimo quarto die mensis Octobris, anno Domini millesimo quadringentesimo octuagesimo octauo, et regni nostri primo.

Remissio pro Hugone Domino Muntgumury, etc.

LETTER of REVERSION by Robert Abernethy, Rector of the church of St. Mary of Rothsay, to Ninian Cocherane of Leys and Askok, of lands in Rothsay, 9th December 1490.

61. VNIUERSIS et singulis ad quorum noticias presentes litere peruenerint, Robertus Abernethy, Rector ecclesie Sancte Marie de Rothsay, Salutem in Domino sempiternam: Noueritis quod

quamvis honorabilis vir, Ninianus Cocherane de Leys et Askok, amicus meus, mihi dederat, concesserat et alienauerat, pro summa quadraginta marcarum vsualis monete regni Scocie, omnes et singulas terras et acras suas jacentes infra burgum et territorium de Rothsay, cum pertinenciis, sibi quomodolibet spectantes et pertinentes: Volo tamen et concedo, et ad hec firmiter obligo fidemedia me, executores meos et assignatos, quod quandocunque contigerit ipsum Ninianum vel heredes suos, executores seu assignatos, persoluere mihi, executoribus meis uel assignatis, summam xl^{a} marcarum vsualis monete regni Scocie, simul cum decim marcis eiusdem monete pro edificiis et structuris factis super dictas terras, in pecunia numerata, in vna summa, vno die, infra ortum solis et occasum, super magnum altare ecclesie perochialis de Rothsay, super premunicione xl^{a} dierum mihi legittime facta, et hoc ante festum Penticostes post diem et datum presencium, ad sursum reddendum, resignandum, et libere deliberandum sibi, suis heredibus uel assignatis, videlicet, dicto Niniano Cocherane omnes et singulas dictas terras et acras per eum mihi concessas primitus et alienatas sibi dicto Niniano, suis heredibus uel assignatas reuertendas; vna cum ceteris litteris et euidenciis mihi, Magistro Roberto Abernethy, Rectori de Rothsay, inde confectis et habitis: Adiecta hac condicione, quod dictus Magister Robertus, executores seu assignati sui, pacifice, libere et quiete, pro firmis regiis, possidebit seu possedebunt dictas terras et acras a dicto Niniano, suis heredibus uel assignatis, per tres annos immediate sequentes post persolucionem prescripte summe monete; ac eciam, si contingat predictum Magistrum Robertum Abernethy, executores seu assignatos suos, absentare se in preiudicium dicti Niniani, heredum, executorum seu assignatorum suorum, in tempore persolucionis prescripte summe monete, videlicet, in festo Penticostes, vel infra octo dies immediate sequentes premunicionem legittimam xl^{a} dierum precedencium, dictus Ninianus, heredes seu assignati sui, habebit seu habebunt liberum introitum et pacificam possessionem dictarum terrarum et acrarum, sine aliqua demanda a dicto Magistro Roberto, executoribus uel assignatis suis; et prescriptus Magister Robertus Abernethy, executores seu assignati, perdent et omittent prescriptam summam monete: In cuius rei testimonium ego dictus Magister Robertus Abernethy, quia sigillum proprium ad presens non habui, sigillum honorabilis viri, Niniani Banachtyn de Kamys, in vi et virtute mei sigilli procuraui et presentibus appendi feci, coram hiis testibus, Magistro Johanne Schaw, Vicario ecclesie Sancte Marie in Rothsay, Domino Andrea Bannachtyne, Vilelmo Cambaell, Doncano Spens, Henrico Henrici, cum multis aliis, anno Domini M^{o} CCCC lxxxx^{o}, nono vero die mensis Decembris: Et eciam ego dictus Magister Robertus Abernethy, ad maiorem securitatem et euidenciam rei, sigillum commune burgi de Rothsay cum instancia debita procuraui et presenti carte reuersionis appendi feci, coram hiis testibus, Johanne Spens, Johanne Glais, Fynlaio Vricht, Johanne M^{c}Ferson, Donaldo Alisone, Gillecrist M^{c}Yntyr, Gillecrist Gowyne, burgensibus dicti burgi, aliis prescriptis testibus, cum multis aliis, anno, die, mense, quibus supra.

INSTRUMENT of SASINE in favour of Mr. Robert Abernethy, of a croft of land in Rothsay, 10th December 1490.

62. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnacionis Dominice, M° CCCC° lxxxx°, indictione nona, die vero decimo mensis Decembris, pontificatus sanctissimi in Christo patris et domini nostri, domini Innocencii diuina prouidencia pape octaui, anno septimo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir, Ninianus Cocherane de Lee, non vi ductus, nec aliquo errore lapsus, sed sua mera et spontanea voluntate, per manus balliuorum burgi de Rothsay, tradidit statum et sasinam corporalem et hereditariam possessionem Magistro Roberto Abernethy, Rectori ecclesie Sancte Marie in Rothsay, suis assignatis uel executoribus, in vna crofta terre cum pertinenciis, iuxta crucem medie vie, wlgariter nuncupata Crux M°Gibbon, ex parte occidentali vie, per terre et lapidis donacionem; ipse Magister Robertus, Rector, prius tradendo dicto Niniano cartam reuersionis dicte crofte cum pertinenciis, sibi vel suis heredibus, tempore solucionis certe summe pecunie; prout plenius continetur in dicta carta reuersionis: Super quibus omnibus et singulis actis, petiit dictus Ninianus Cocherane a me notario publico infrascripto, sibi fieri publicum seu publica, instrumentum seu instrumenta: Acta erant hec prope dictam crucem M°Gibbon, hora quasi secunda post merediem vel eo circa, anno, die, mense, et pontificatu supradictis, coram hiis testibus, Roberto Steward, Camerario de But, Magistro Johanne Schav, Vicario, Domino Andrea Banachtyn, Johanne Spens, Johanne Glais, Mauricio M°Ewyn, Donaldo Alisone, Cristino M°Yntir, Nycholaio Rane, et Fynlaio Wricht, cum multis aliis vocatis specialiter et rogatis.

Et ego Donaldus M°Faill, presbyter Rossenis diocesis, publicus auctoritate imperiali notarius, dicte sasyine et stato, ceterisque premissis, etc.

DONALDUS M°FAIL.

INSTRUMENT of SASINE in favour of William Cocheren in Kirkton, and Margaret Sympile, his spouse, of land on the north side of Ascok, 30th July 1497.

63. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo septimo, indictione decima quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti, anno quarto, die uero penultimo mensis Julii: In mei notarii publici et testium subscriptorum presencia personaliter constitutus Patricius Culquhoune, constabellarius caustri de Rothsaie situati in Buyt, pro tempore, balliuusque in hac parte discreti viri Niniani Cocherene, Domini de Lee et Asckok; sufficiens mandatum littere balliuatus publice ostendens, quod michi notario subscripto luculenter constabat: Tenore et vigore dicte littere balliuatus, idem Patricius Colquhoune, tanquam balliuus dicti Niniani Cocherene, statum et

saisynam hereditariam, necnon actualem, realem et corporalem possessionem et institucionem, per terre et lapidis tradicionem et deliberacionem, viginti nouem solidorum terrarum ipsius Niniani antiqui extentus, jacencium ex parte boriali de Ascok cum pertinenciis, Wilelmo Cocheren in Kirkton, necnon Cuthberto Speyr, acturnato nomine et mandato Margrete Sympile, sponse ipsius Wilelmi: Quamquidem litteram acturnatus publice perlegi, eorumque Wilelmi et Margrete coniugum heredibus, executoribus et assignatis quibuscunque, ut moris est in similibus, tradidi, dedi et deliberaui: Super quibus omnibus et singulis prefati Wilelmus Cocheren et Cuthbertus Speir, nomine et mandato dicte Margrete Simpile, coniugis dicti Wilelmi, petierunt a me notario publico subscripto sibi fieri vnum seu plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec super solo dictarum terrarum, hora octaua uel eo circa ante merediem: Presentibus ibidem, Macolmo Makcarmyt, balliuo ville de Rothsaie pro tempore, Wilelmo Ynglis, Johanne Reide, Thoma Oyr, Johanne Oyr et Jacobo Blakburne, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Magister Walterus Steward, clericus Sancti Andree diocesis, auctoritate imperiali notarius, premissis, etc.

SERVICE of Adam Cunyngham, as heir of Adam Cunyngham of Caprontoun, his father, in the lands of Velchtoun, Caprontoun, etc., 3rd October 1497.

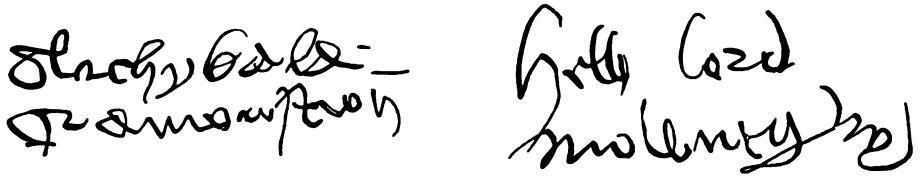
64. HEC Inquisicio capta apud Are, coram nobili viro, Hugone Campbell de Lowdone, vicecomite de Are, tercio die mensis Octobris, anno Domini millesimo quadringentesimo nonagesimo septimo, per hos probos et fideles homines subscriptos, videlicet, Hugonem Dominum Montgomory, Johannem Dominum Cathkert, Johannem Dominum Symple, Johannem Valles de Cragy, Dominum Vilelmum Coluile de Vchiltre, militem, Dominum Dauid Kennydy, Balliuum de Carrik, militem, Dominum Vmfridum Cunyngham de Glengernok, militem, Thomam Kennydy de Barganie, Johannem Blare de eodem, Robertum Montgomory de Giffin, Mattheum Vallas de Crago, Macolmum Craufurd de Grenok, Alanum Cathkert de Carltoun, Hugonem Valles de Smethistoun, Vilelmum Schawe de Polkemmet, Jacobum Campbel de Bronesyde, et Johannem Kennidy de Knokreach: Qui jurati dicunt, quod quondam Adam Cunyngham de Caprontoun, pater Ade Cunyngham, latoris presencium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem domini nostri Regis, de viginti septem mercatis terrarum antiqui extentus de Velchtoun, terris de Garngulane, terris de Colisfeild, terris de Vallesbank, et molendino de Enterkin, cum pertinenciis, jacentibus in Kilesteuart, infra vicecomitatum de Are; et de viginti libratis terrarum antiqui extentus de Caprontoun et Brokalmvre cum pertinenciis, jacentibus in Kilesteuart, infra vicecomitatum de Are; et de tribus mercatis terrarum antiqui extentus de Badlane et Brodokle cum pertinenciis, jacentibus in ballia de Cunyngham, infra vicecomitatum de Are; et de tredecim solidatis et quatuor denariatis terrarum antiqui extentus de Rynnistoun cum pertinentiis, jacentibus infra territorium burgi de Are, infra vicecomitatum de Are; et de officio vocato multis le

Cronarisschipe de Kile Regis, Kile Steuart, et Cunyngham: Et quod dictus Adam est legittimus et propinquior heres eiusdem quondam Ade, patris sui, de dictis terris, molendino, et officio, cum pertinenciis: Et quod est legittime etatis: Et quod dicte terre de Velchtoune, Garngulane et Colisfeild cum pertinenciis valent nunc per annum quinquaginta quatuor mercis, et tantum valuerunt tempore pacis; et quod dicte terre de Caprontoun et Brokalmvre cum pertinenciis valent nunc per annum sexaginta mercis, et tantum valuerunt tempore pacis; et quod dicte terre de Badlane et Brodokle cum pertinenciis valent nunc per annum sex mercis, et tantum valuerunt tempore pacis; et quod dicte terre de Rynnistoun cum pertinenciis valent nunc per annum duabus mercis, et tantum valuerunt tempore pacis: Et quod dicte terre de Velchtoune, Garngulane, Vallesbank, et molendinum de Enterkin, tenentur in capite de Barone de Tarboltoun, per vardam et reliuium, et vnam communem sectam ad principale messuagium de Tarboltoun; et quod dicte terre de Colisfeild tenentur in capite de Barone de Tarboltoun, per albam firmam, videlicet, per solucionem vnius denarii super solum dictarum terrarum in festo Trinitatis annuatim, si petatur; et quod dicte terre de Caprontoun cum pertinenciis tenentur in capite de supremo domino nostro Rege, tanquam Senescallo Scocie, per vardam et reliuium, et communem sectam in curia de Prestvik; et quod dicte terre de Badlane et Brodokle cum pertinenciis tenentur in capite de supremo domino nostro Rege, tanquam Senescallo Scocie, per albam firmam, videlicet, per solucionem vnius denarii super solum dictarum terrarum in festo Penticostes annuatim, si petatur; et quod dicte terre de Rynnistoun cum pertinenciis tenentur in capite de supremo domino nostro Rege, more burgali; et quod dictum officium, multis nuncupatum le Cronarisschipe, tenetur de supremo domino nostro Rege, pro seruicio debito et consueto: Et quod dicte terre de Velchtoun, terre de Garngulane, terre de Colisfeild, terre de Vallesbank, et molendinum de Enterkyn cum pertinenciis nunc existunt in manibus dicti Baronis, racione superioris earundem; et quod dicte terre de Caprontoun, Badlane, Brodokle, Rynnistoun, ac officium le Cronarisschipe, cum pertinenciis, nunc existunt in manibus dicti supremi domini nostri Regis legittime per seipsum, per mortem dicti Ade, in defectu persecucionis dicti heredis jus suum hucusque non prosequentis, et hoc per spatium duorum mensium vltime elapsorum, vel eacirca: In cuius rei testimonium sigillum vicecomitis predicti, vna cum sigillis quorundam eorum qui dicte inquisicioni interfuerant faciende presentibus est appensum, anno, die, mense, et loco supradictis.

CONTRACT between Hugh Lord of Mungumbre and Sir Archibald Edmonstwn of Dunthret, for the marriage of John of Mungumbre, eldest son of Lord Hugh, to Bessie Edmonston, 1st June 1498.

65. MEMORANDUM, that it is fullely endit betuex ane nobil lord, Hew Lord of Mungumbre, on the ta part, and Schir Archibald Edmonstwn of Dunthret, on the toder part, in manyr and fworme as efter folowis, that is to say; that Jhon of Mungumbre, son and aperand air to the forsaid Lord of Mungumbre, sal mare, Godwillinge, Besse Edmonstwn, dochir to the said Schir Archibald, as

the law of halekyrk ordanis to be done; and gyf that it falzeis be disches or dessasend of ony of the forsaid personis of Jhon or Besse, the said Lord byndis his secund sone, and falzeand of the secund, the therd, and falzeand of the therd, the ferd; and inlikwiz falzeand of the said Besse, Kateren, and falzeand of Kateren, Mergaret, and falzeand of Mergaret, Ellen: For the quhilk mareagh beand completit, the said Schir Archibald byndis and oblisis hym, his airis, executoris, or assignais, to pay to the forsaid Lord Mungumbre, his airis, executoris, or assignais, the sowm of thratten hunder markis of gud and vsuall mone of the kynrik of Scotland, to be pait at thir termys onder writyn, that is to say, thre hunder mark now to be red to the Lard of Bawgone, and twa hunder mark at the next Mertymes efter the dait of this present writ, and sinn zerly at Witsonday fourty pundis, and at Mertymes fourty pund, and sua furth, zer in zer, and term in term, ay and quhill the sowm of thratten hunder merkis be fullely content and payit: Alsua, the said Lord Mungumbre byndis and oblysis me, my airis, executoris or assignais, to gyf coniunctfeftment conformand to the tochir, at the seicht of my Lord of Argyill, my Lord of Lennax, my Lord of Pasley, the Lord Ross of the Halkhed; and quher thair is dispensationis to be brocht hame fra the Court of Rowme on the said Lordis and Archibaldis costis equaly; and inlikwis the costis of the resingnatioun of the coniunctfeftment to be maid equaly be the said Lord and Archibald: And we the said Lord Mungumbre and Schir Archibald byndis and oblisis ws, our airis, executoris or assignais, to obserf and kep all the premyssis forsaid, onder the pane of quhat parte that falzeis of twa thoussand merk to be pait be the falzear of ony of the forsaid parteis witin xl dais eftir, to be gewin to the toder at falzeis nocht, for costis, skaitis, damnage, and expenssis sustenit be the falzear; and thir writingis to be maid in to the straitest fwrme of endentour or obligatioun at the seicht of the said Lord and Archibald, as men of law can dewyis or ordaine: Writyn at Strueling, the first day of Junii, the zer of God ane thoussand four hundreth nynty and aucht zeris, and subskrywit wit the forsaid Lord and Archibaldis handis, befoir thir witness, Wilzem Lord Grame, Jhon Lord Maillweill, Schir Dauid Kennete, knycht, Jhon of Mungumbre of the Syid, James Mungumbre, broder to the forsaid Lord of Mungumbre, and James Edmonstwn, with diuers vthiris: The Kyngis rycht of the balzery of Cunynggem beand obtenyt and throyit at the Kyngis hand, to be gewin to Hew Lord of Mungumbre; thir pontmentis abon writyn the said Lord Mungumbre byndis hym to kep, this balzery gagand throit, as said is, gottin be the Kyngis writyngis.



CHARTER by King James IV. to Hugh Lord Montgumry, of the Bailiery of Cunynghame and Chamberlainship of Irwyn, 4th June 1498.

66. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis quia nos perspicue intelligentes saneque aduertentes quod quondam Alexander Montgumry, auus dilecti consanguinei nostri Hugonis Domini Montgumry, et predecessores sui, officia balliatus de Cunynghame et camerarie infra burgum nostrum de Irwyn ad longum tempus habuerunt et possiderunt; et quod prefatus Hugo, variis vexacionibus et perturbacionibus post hoc diuersimodi obortis impeditus, ad huiusmodi officia introire, nec eadem pacifice possidere seu hactenus exercere valuit; Nichilominus pro bono, fideli et gratuito seruicio, nobis per prefatum Hugonem sepius impenso, nos, nunc ad perfectam etatem viginti quinque annorum existentes, dedimus, concessimus et confirmauimus, et hac presenti carta nostra damus, concedimus et confirmamus dicto Hugoni Domino de Montgumry prefata officia balliatus et camerarie, ac totum jus et clameum que nos ad eadem habemus, habuimus, seu quouismodo habere poterimus in futurum: Tenenda et habenda prefata officia balliatus de Cunynghame et camerarie infra dictum nostrum burgum de Irwyn, dicto Hugoni Domino de Montgumry et heredibus suis, de nobis et successoribus nostris, Senescallis Scocie, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, cum omnibus et singulis libertatibus, commoditatibus, feodis, proficuis, deuoriis et asiamentis ac justis suis pertinenciis quibuscunque, ad eadem officia spectantibus seu juste spectare valentibus quomodolibet in futurum; adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut auus dicti Hugonis, aut predecessores sui, prefata officia, cum omnibus feodis, proficuis, et deuoriis, vt premittitur, de nobis aut predecessoribus nostris, Senescallis Scocie, temporibus retroactis, tenuit seu possedit, tenuerunt seu possederunt, sine aliqua reuocacione aut contradictione quacunque: Reddendo inde annuatim, dictus Hugo et heredes sui nobis et successoribus nostris, Senescallis Scocie, jura et seruicia ac diuoria de predictis officiis debita et consueta, et secundum tenorem antiquarum cartarum et infeodacionum suarum prius desuper confectarum: Cum potestate eidem Hugoni et heredibus suis, curias balliatus de Cunynghame, necnon curias camerarie infra dictum nostrum burgum de Irwyn statuendi, inchoandi, affirmandi, tenendi et quotiens opus fuerit continuandi; sectas conuocandi, transgressores et delinquentes puniendi, amerciamenta, eschaetas et exitus curiarum leuandi, plegios recipiendi et conuocandi; breuia capelle nostre sibi directa et presentata ad officium suum balliatus de Cunynghame spectancia recipiendi, aperiendi, proclamandi et debite deseruiri faciendi; maros et seriandos de suis officiis remouendi, et alios eorum loco constituendi et imponendi; lites et questiones in dictis curiis balliatus et camerarie motas seu mouendas audiendi, decidendi, et fine debito determinandi; ac vnum vel plures deputatum vel deputatos sub eo in dictis officiis, qui similem et eandem habeat et habeant potestatem, pro quo seu quibus respondere tenebitur, substituendi et ordinandi; et generaliter vniuersa alia et singula faciendi, gerendi, exercendi et exequendi, que ad officia balliatus et

camerarie de jure seu consuetudine regni nostri dinoscuntur pertinere: Ratum et gratum habentes et habituri totum et quicquid dictus Hugo suique heredes, substituti, vel deputati, in dictis officiis duxerit seu duxerint faciendum: Quare vniuersis et singulis quorum interest vel interesse poterit, et signanter inhabitantibus predictum balliatum de Cunynghame et burgum nostrum de Irwyn, stricte precipimus et mandamus quatenus predicto Hugoni suisque heredibus, deputatis et ministris, in omnibus et singulis predicta officia balliatus et camerarie concernentibus, prompte respondeant, pareant et intendant; sub omni pena que competere poterit in hac parte: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre, Wilelmo Episcopo Abirdonensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Georgeo Comite de Huntle, Domino Badezenath, Cancellario nostro, Archibaldo Comite de Ergile, Domino Campbell et Lorne, magistro hospicii nostri, Patricio Comite de Boithuile, Domino Halis, Alexandro Domino Hume, magno camerario nostro, Johanne Domino Drummond, Justiciario nostro, Roberto Lundy de Balgony, milite, thesaurario nostro; et dilectis clericis nostris, Magistris Ricardo Murehede, Decano Glasguensi, secretario nostro, et Waltero Drummond, Decano Dunblanensi, nostrorum rotulorum et registri ac consilii clerico; apud Edinburgh, quarto die mensis Junii, anno Domini millesimo quadringentesimo nonagesimo octauo, et regni nostri decimo.

LETTERS by King James IV. commanding his subjects to obey Hugh Lord Montgumry in his office of Bailie of Cunynghame, 6th June 1498.

67. JAMES be the grace of God King of Scottis, To all and sindri oure liegis ande subditis quham it efferis, quhais knaulage thir oure letteris salcum, Greting: Wit zhe that forsamekle as we haue gevin and grantit to oure traist and weilbelouit cousing, Hewe Lorde Montgumry, heretably, the office of bailzery of Cunynghame, and the office of chaumerlanry of the towune of Erwyne, as the infeftment maide to him thairuppoun proportis; It is our will herefore, and we charge zowe strately, and commandis all and sindry oure liegis and subditis forsaid, baith spirituall and temporall, quham it efferis, that ze and ilkane of zowe reddile intend and ansuer to oure said cousing, and his deputis and officiaris, ane or maa, in all and sindry thingis concernyng the administratioun of the said officis of balzery and chaumerlanry in tyme tocum, eftir the tenour of the infeftment; vnder al the hiest pane, charge, and offence that zhe and ilkane of zowe mai committ and inrin aganis oure maieste in that part: Certifying and declarynq to zowe, all and sindry oure liegis forsaid, that ony of zowe that cummis or dois in the contrar hereof, or makis ony gadering or conuocacioune of oure liegis in stopping or letting of oure said cousing, his deputtis and officiaris vndir him, in the execucioune of justice, or in the administracioune of the said officis, we will proced to the vttir riggoure of oure lawis and punyce thame thaireftir, for the stopping of justice, and the saidis officis to be executit and ministrit as efferis; and repute and halde thame trespassouris to oure maieste in tyme tocum; and ordanis and chargis oure justice clerkis to inquer hereof and tak dittay thairuppoun, and to put the samyn in oure rollis,

according to oure lawis: Gevin vndyr oure priue seil, at Edinburgh, the vi day of Junii, and of oure regnne the tend zere.

Per supremum dominum nostrum Regem.

The xxi dai of the monetht of Julii, the zere of God, etc., nynti and viii zer: I Archbauld Quhit, kingis sergeand within the schirefdom of Are, proclamit opinly thir oure souerane lordis letteris, efter the tenour and forme of the samyn, at the market cors of Are, dai, zer, and place forwritin, befor thir witnes, Mathow Vallas of Crago, Villiam Cunyngham of Laglan, Johnne Movat, sone and aperand are to Johne Movat of Busby, Andro Busby, alderman of Are, and Robert Clerk, ballie of the samyn, with otheris diuers: And for the mare vitnessing of the execucioun herof, I haue set to my signet. [L. S.]

The xxiii dai of Julii, the zer of God, I^{M} iiii^{c} nynty and viii zer, I Johne Gerdnar, sergeand of the balzery of Cunyngham, opinly proclamit thir oure souerane lordis letteris, efter the tenour and forme of the samyn, at the market cors of Irvin, dai, zer, and place forwrittin, befor thir vitnes, Dauid Cunyngham in Cunynghamhed, brethir to the lard of Cunynghamhed, Robert Muntgumry, and James Rankin, with otheris diuers: And for the mare sikernes hereof, I haue set to my signet. [L. S.]

INSTRUMENT of SASINE in favour of Hugh Lord Montgumry, of the offices of Bailie of Cunyngham and Chamberlain of Irvin, 4th July 1498.

68. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnatione Domini I^{M} iiii^{c} nonagesimo viii^{o}, die vero mensis Julii iiii^{o}., Indictione prima, Pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidentia pape sexti, anno sexto: In excellentissimi et inuictissimi principis supremi domini nostri, Jacobi quarti, Scotorum Regis illustrissimi, certorumque dominorum consilii sui, ac testium subscriptorum, et mei notarii publici presenciis, personaliter constitutus nobilis et potens dominus, Hugo Dominus Montgumry, quamdam cartam dicti supremi domini nostri Regis, suo magno sigillo cera alba impendente munitam, sibi super officiis Balliatus de Cunyngham et Camerarie de Irvin hereditarie factam, in medium produxit, humiliter a regia maiestate petens possessionem et statum hereditarium super premissis officiis sibi conferri: Dictus serenissimus dominus noster Rex prefati Domini Hugonis animi ens, peticionem de dictis officiis, sasinam, possessionem regalem, et statum hereditarium manu sua regia prefato Domino Hugoni per deliberacionem baculorum tradidit, secundum formam et tenorem predicte carte sue prefato Domino Hugoni desuper confecte: Prestito per ipsum Dominum Hugonem in manibus regiis ad sacrosancta Dei euangelia juramento

corporali, de debita administracione justicie et fidelitatis in dictis officiis temporibus pro futuris obseruanda: Super quibus omnibus et singulis sic premissis, dictus Dominus Montgumry per me notarium publicum subscriptum sibi fieri petiit publicum instrumentum: Acta fuerunt hec apud nouum castrum regium de Lochinkerane in Kentyre, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem nobilibus, potentibus, et magnificis dominis, Matheo Comite Levinax, Domino Dernly, Alexandro Domino Home, Magno Camerario Scocie, ac venerabilibus et circumspectis viris et dominis, Andrea Forman, Prothonotario, Priore de Pettinveyme, Johanne Tyri, Preposito de Meffem, Andrea Makbrek, Canonico Dunkeldensi, capellano regio, Henrico Wod, Decano de Lestanreg, Cuthberto Balze, clerico; necnon strenuis et probis viris, Vilelmo Edmannistone, filio et apparenti herede Archibaldi Edmannistone de Duntrecht, Andrea Wod de Blaretone, janitore camere regie, Valtero Buchquhannan de eodem, Jacobo Edmannistone de Polmayis, Vilelmo Spyshous, et Alexandro Fokert, cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Johannes Symontone, presbyter Glasguensis diocesis, publicus imperiali et regali auctoritatibus notarius, quia, etc.

JOHANNES SYMONTONE.

LETTERS of George Earl of Huntlie, Justice-General of Scotland, attesting that Robert Mungumry of Giffin had been acquitted of the slaughter of Martin Makcachne, 9th March 1498.

69. GEORGIUS Comes de Huntlie, etc., Justiciarius supremi domini nostri Regis ex parte australi aque de Forth generaliter constitutus, Vniuersis et singulis ad quorum noticias presentes litere peruenerint, salutem: Noueritis quod comparens coram nobis, in curia itineris Justiciarie domini nostri Regis tenta et inchoata apud burgum de Aire, die Sabboti, nono die mensis Mercii, anno Domini millesimo quadringentesimo nonagesimo octauo, Robertus Mungumry de Giffin, indictatus et per rotulos regios calumpniatus de arte et parte crudelis interfectionis quondam Martini Makcachne, in villa de Irwin, in comitiam cum Domino Mungumry, ex precogitata felonia commisse: Quamquidem calumpniam in facie iudicii dictus Robertus omnino denegauit, et per condignam assisam conuictus factus fuit penitus et immunis: Insuper, dictus Robertus calumpniatus de arte et parte rapine vnius le cellat et aliarum rerum, ad valorem x. mercarum, a seruitoribus Domini de Kilmawris, tempore interfectionis dicti quondam Martini Makcachny, in villa de Irwin predicta; pro quaquidem actione et calumpnia in nostra voluntate deuenit, ac pro eadem nomine et ex parte domini nostri Regis in iudicio finaliter finiuit: Et hoc omnibus quorum interest notificamus per presentes: In cuius rei testimonium sigillum officii Justiciarie domini nostri Regis presentibus est affixum, anno, mense, die et loco supradictis.

RICARDUS LAUSOUN,
Clicus Justiciarie.

[A similar Letter of Attestation was granted, of the same date, in favour of Hugh Lord Montgomery, and the original is also preserved at Eglinton.]

INSTRUMENT of RESIGNATION by Hugh Lord of Montgumry, of the lands of Robertoun, in the hands of King James IV., 3rd February 1499.

70. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quadringentesimo nonogesimo nono, mensis vero Februarii die tercio, indictione tercia, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti, anno octauo: In mei notarii publici et testium subscriptorum presencia nobilis et potens dominus, Hugo Dominus de Montgumry, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, personaliter accessit ad presenciam excellentissimi et potentissimi principis et domini nostri, domini Jacobi Quarti, Dei gracia Scotorum Regis illustrissimi; et ibidem, omni cum humilitate et reuerencia qua decuit, omnes et singulas terras suas de Robertoun cum pertinenciis, jacentes in ballia de Cunynghame, infra vicecomitatum de Aire, in manibus sue regie maiestatis, tanquam Senescalli Scocie, domini superioris earundem, per fustem et baculum personaliter sursum reddidit, pureque et simpliciter resignauit, ac omni jure, clameo, proprietati et possessioni earundem renunciauit et quitumclamauit imperpetuum: Quaquidem resignacione sic, vt premittitur, facta et recepta, idem serenissimus dominus noster Rex, tanquam Senescallus Scocie, omnes et singulas predictas terras de Robertoun cum pertinenciis, dicto Hugoni Domino de Montgumry et Elene Campbell, sue sponse, personaliter presentibus et acceptantibus et ipsorum alteri diucius viuenti in coniuncta infeodacione, et heredibus inter ipsos legittime procreatis seu procreandis; quibus deficientibus, heredibus dicti Hugonis quibuscunque, in feodo et hereditate imperpetuum; Tenendas de supremo domino nostro Rege et successoribus suis, Senescallis Scocie, adeo libere sicut dictus Hugo aut predicessores sui, ante dictam resignacionem easdem tenuit seu possedit, tenuerunt seu possiderunt, per huiusmodi fustis et baculi exhibicionem hereditarie contulit, dedit et donauit secundum tenorem carte sue eis desuper conficiende: Super quibus omnibus et singulis dictus Hugo et Elena a me notario publico subscripto sibi fieri petierunt vnum seu plura, publicum seu publica, instrumentum aut instrumenta: Acta erant hec in palacio dicti supremi domini nostri Regis apud Striueling, hora secunda post meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem venerabilibus in Christo patribus, Georgio Abbate de Dunfermling, Jacobo Abbate de Scone; nobilibus et potentibus dominis, Cuthberto Domino de Kilmawris, Johanne Domino de Kennedy, Andrea Domino de Avandale, Johanne Magistro de Athole, Wilelmo Dromond, Johanne Montgumry de Corscrage, militibus, Roberto Montgumry de Giffin, Andrea Wod, Wilelmo Sinclar, Wilelmo Spishous, seruitoribus et hostiariis camere regie, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas Conyngham, presbyter Glasguensis diocesis, publicus autoritatibus imperiali et regali notarius, quia etc.

ANDREAS CONYNGHAM.

REVERSION by John Blar of that Ilk, to Hugh Lord Montgomery, of the lands of Drummoster and Holmbyre, 15th November 1500.

71. BE it kend till al and sindri be this present wryit, me Johnne Blar of that Ilk, for me, my airis and assignais, to be haulding and oblist and be this my present wryit faithfully and sikkirlye bindis and oblesis me, my airis and assignais, til ane ryt noble and potent lord, Hew Lord Montgomery, his airis and assignais, That nochtwithstanding the said Hew has analyit heretabilly be his charter and seisying fra him, his ayris and assignais, to me the said Johne Blar, my airis and assignais, ten pwndlandis of his of auld extent, callit Drummostyr and the Holmbyr, with their pertinence, lyand within the barony of Ardrossane and the shirefdome of Aire, to be haulding of the said Hew and his ayris for ane penny zerlie in blanchferme, And that for the securite and payment of the sowme of fyf hundreth marcis of vsuale monye of Scotland promittit to me in tochir for the mariage completing betuix ane nobil domicell Hellyn Montgomery, dochter to the said Hew, and Johnne Blar my sowne and to me apperand air, as the chartir maid to me be the said Hew theruppone mair fullely proportis: Nevertheles I the said Johnne Blar of that Ilk for me, my airis and assignais, will and grantis, and als me, my airis and assignais faithfullye obles be this present wryit, till vpgif, purlye and simpillye to resinge, frelye deliur and leyf fra me, my airis and assignais, to the said Hew Lord Montgomery, his ayris and assignais, all and haill the said ten pwndlandis of auld extent, with their pertinence, togidder wyth chartir, sasying, and al other euidentis maid and deliuerit to me the said Johne Blar of that Ilk, my airs and assignais thereuppone, what tym and how swyne the said sowme of fyf hundreth marc beis fullely payt to me (the saide Johnne, my ayris or assignais, be the said Hew, his ayris or assignais), I the said Johnne Blar, my airis or assignais, beand lauchfullye befoir notar and witnes warnyt be the said Hew, his ayris or assignais, or otheris in his or their namys of fyftene days warnyng gangand befoir to compeir in the parisch kyrk of Ardrossane, on ane day betuix the sowyn rising and gowing doune of the sammyn, to the fulfilling of thir premissis; ffra the quhilk day and place I the said Johne, my airis nor assignais, sal nocht absent ws fraudfullye in ony manner of way—the said premunicioun lauchfullye, as said is, gangand befoir; And attoure, I the said Johnne Blar faithfully obles me, myn airis, executouris and assignais, that I nor thai, nor others in myn or thar namys, sal nocht intromett with the said landis of Drummostir and Holmbyr, lift nor rays malis, dewyteis nor awalis of the sammyn, bot in the falt of termlye payment, and within fyftene days efter the isch of euere terme, of the said sowme of fyf hundreth marc, according to the indentouris maid betuix the said Hew Lord Montgomery and me thereuppone, And eftir the said sowme of fyf hundreth marc be fullely payt, as said is, I the said Johne Blar of that Ilk, for me, my airis and assignais, remittis and frely overgiffis, now as than, and than as now, fra me and thame and ilkane of thame, to the said Hew Lord Montgomery, his ayris and assignais, al clame, ryt and titil of ryt, properte and possessioun, I or thai had, hais, or may haue, in or to the said landis of Drummostir and the Holmbyr, with the

pertinence for euirmair be this present wryit, without ony process, sentence of law, impediment, or obstakil, in likwis as the said Hew Lord Montgomery, or ony of his predecessouris befoir the said alienatioun maid to me, myn airis and assignais thairuppon had browkyt or possessit the sammyn without fraud or gile. In witnes of the quhilk thing, I the said Johne Blar of that Ilk, for me, myn airis, executouris and assignais, to this present wryit hais appendyt my sele togidder with my subscriptioun manuale, at the Blair, the xv day of the month of November, the zeir of God ane thowsand and fyf hundreth zeirs, befoir thir witnes, Thomas Boill of Risholme, Maister Cristofer Boid, and Thomas Camrone notaris.

DISCHARGE by David Betoun to Hugh Lord Montgumery, 5th May 1501.

72. I DAUID BETOUN, seruand to our souerane lord the King, grantis me to haue resauit fra ane noble lord, Hew Lord Montgumery, the some of ane hundreth merkis vsuale monee of Scotland, in full and compleit payment of the some of five hundreth merkis, for the quhilk the said Lord componit for certane personis quhilk come in will, for the ref of ane collar and ane sword, in the last Justice air, ane except, haldin at Air: Of the quhilk some of ane hundreth merkis in full payment forsaid, I hald me wele content and payit, and in our souerane Lordis name quitclamis and dischargis the said Lord thairof for now and for euer be this acquetance: Writtin vnder my signet, and subscriuit with my hand, at Edinburgh, the fift day of Maii, the zer of God ane thousand five hundreth ane zer.

DAUID BETOUN.

DECREET ARBITRAL by Hugh Lord Montgumry, between Alexander Montgumry, son and heir of Robert Montgumry of Giffin, and Margaret Blayr, his widow, 22nd November 1501.

73. AT Irwin, the xxii day of the moneth of Nouembre, the zer of God I^m V^c and ane zer: I, Hew Lord Montgumry, frendfull and amicabill componitour evinly chosing betuixe honorable personis, Alexander Montgumry, sone and ar to wmquhile Robert Montgumry of Giffin, on the ta part, and Margaret Blayr, spous to wmquhile the said Robert, on the tothir part, tuiching the assignatione and thankfull deliuering to hir of hir thrid part of the landis pertenyng to hir be the decess of wmquhile hir said husband, and in likwis anentis the diuisione and partinge of the mouable gudis pertenyng to wmquhile the said Robert; the saidis partiis beand stratly oblist and suorne, the haly Euangelis twechit, to abid, wnderly, and fulfill, witout reuocatioun, my ordinance, decret, consale and sentence in the premisis; and I in lykwis takand the samynis wpon me; decretis, deliueris, consalis and ordanis the said Margaret to haue all and hale the landis of the Wrychthill with the pertinentis, lyand in Kingiskile, within the schirefdome of Ar; togidder with tuenty five schillingis of anuale rent zerlie of the landis of Drumdow, lyand within the said schirefdom, and als tuenty five acris of land liand within and beside the burghe of Linlithqwe, togidder with the annualis rentis quhatsumeuir within the said burghe pertenyng

wmquhile to the said Robert, hir husband, in full contentatioun and assithment of hir hale terce and thrid of all and sindry the landis and annualis rentis pertenyng to wmquhile the said Robert, or that may pertene to hir be ressoun of terce, be the deces of wmquhile the said Robert; and for the terce that may fall to the said Margaret be the deces of Jonet Houstoun, moder to the said Robert, and lady of the fyrst thrid of the landis of Giffin; quhilkis landis and annuale rentis, with the pertinentis, the said Alexander and his aris sall warrand, acquiet, and agane all dedlie defend, as law will, to the said Margaret, for all the dayis of hir liwe: And gif it sall happin the said Margaret to be vexit, trublit, hurt, or harmit in the peciable brukin of the landis and annuale rentis forsaidis, be ony maner of persons clamand rycht thairto, exceptand the prosecutioun of the said Alexander or his aris in the makin of hir wnlauchfull wif to the said wmquhile Robert; than it salbe lefull to the said Margaret to haue full regres and ingres to the hale terce of all and hale the landis quhilkis the said wmquhile Robert deit vest and sasit as of fee; and als the said Margaret sall bruke and joyis the saidis landis and annuale rentis peciably, wntrublit be the said Alexander and his, quhile the law decid and end the pleye mouit betuix thaim, giff ony happinis to be, in the caus forwrittin: And hervpon the saidis Alexander sall gife to the saidis Margaret letteris of assedatioun and balzery of the saidis landis and annuale rentis, for all the dayis of hir lywe, with pouer to lift, rais the saidis landis and anuale rentis, and giff mister be, the samynis to distrenze zerly and termly as scho thinkis expedient, and in the maist sickyr form as scho can deuis the samynis: And attour, as to the diuisioun of the mouable gudis, I ordane, decretis and deliueris, that all the saidis gudis be equaly diuidit betuixe the first wiffis barnis of wmquhile the said Robert, and the said Margaretis barnis; the said Alexander takand the first wiffis barnis gudis, and sall giff to the said Margaret ane sufficient discharge thairof, and kep her skaythles thairof at all handis; and the said Margaret sall rasaue hir awne barnis gudis, and gif ane discharge to the said Alexander and his thairof, as said is; the dettis beand pait of the hale gudis: And this my ordinans and decret furthgewin in presens of the saidis partiis, zer, day and place forsaidis; and in witnes herof I haue affixit my sele, with the subscriptioun of my awine hand, befor thir witnes, Petyr Houstoun of the samyn, knycht, Constantine Dunlop of that ilk, Johne Blayr of Adamtoun, Mastres George Montgumry, Persone of Eglishame, Edward Blayr, wicar of Ar, and Thomas Cameron, with otheris diuers.

HUGH LORD MONTGUMRY.

SERVICE of Alexander Montgumry as heir of his father, Robert Montgumry of Giffin, in the lands of Giffin, 26th November 1501.

74. HEC Inquisicio capta apud Grey in Giffin, vicesimo sexto die mensis Nouembris, anno Domini millesimo quingentesimo primo, coram nobili et prepotenti domino, Hugone Domino Montgumry, et superiori de Giffin, per hos probos et fideles homines patrie subscriptos, videlicet, Johannem Montgumry de Corscrag, militem, Johannem Blar de eodem, Alexandrum Montgumry de

Bradstan, Robertum Ker de Kerrisland, Thomam Boile de Ryyshollum, Alexandrum Petcon de eodem, Andream Craufurd de Badlane, Alexandrum Hammiltoun de Comsket, Alexandrum de Cauldvell de eodem, Villelmum Ros de Mungrenan, Gilbertum Dunlop de Hawpland, Johannem Montgumry et Jacobum Montgumry, germanos prefati Domini Montgumry: Qui jurati dicunt, quod quondam Robertus Montgumry de Giffin, pater Alexandri Montgumry, latoris presencium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem supremi domini nostri Regis, de triginta tribus mercatis terrarum antiqui extentus de Giffin, vna cum terris de Knokintyr, Knokinlyne, et quinquaginta solidis annui redditus annuatim leuandis de terris de Drumdow, jacentibus infra vicecomitatum de Are, cum pertinenciis; Item, de viginti quinque acris terrarum de Poldrat cum pertinenciis, jacentibus infra territorium de Linlithqw, et vicecomitatum de eodem; vnacum certis annuis redditibus dictis terris pertinentibus, annuatim leuandis de certis tenementis terre infra dictum burgum de Linlithqw: Et [quod] dictus Alexander est legittimus et propinquior heres eiusdem quondam Roberti, patris sui, de dictis terris et annuis redditibus cum pertinenciis: Et quod est legitime etatis: Et quod dicte terre et annui redditus cum pertinenciis valent nunc per annum centum triginta quinque mercis, et valuerunt tempore pacis quadraginta tribus marcis: Et quod dicte terre et annui redditus cum pertinenciis tenentur in capite de dicto Hugone Domino Montgumry, tanquam domino superiori earundem, per vardam, reliuium et maritagium, cum contigerint, et tres sectas ad tria placita capitalia annuatim apud Greyhill in Giffin: Et quod dicte terre cum pertinenciis nunc existunt in manibus dicti superioris, per mortem dicti quondam Roberti, ob defectum veri heredis jus suum hucusque non prosequentis, et hoc per spacium xv dierum elapsorum, vel eocirca: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisicioni intererant faciende presentibus sunt appensa, anno die, mense, et loco supradictis.

DISCHARGE by Constantyn Montgumerye to Alexander Montgumerye of Gyffen, his brother, 23rd December 1502.

75. BE it kend til al men be thyr present lettres, me Constantyn Montgomerye, broder germayn to Alexander Montgumerye of Gyffen, grantis me til haf rasawit be the handis of the said Alexander my broder, in nowmerit mony, the sowm of ten lib. of gude and wswail mone of Scotlande, in ful contentasion and assithment of al and hail my barnys pairt of gudis, the quhilk I may or mycht clam of ressown, be the disces of my fader and moder; of the quhilk sowm of x lib. I halde me weil content assithit and payt, and dischargis the said Alexander, his ayris, executuris and assignais, for me myn ayris, assecuturis and asignais for now and euermar, but fraud or gile. In witnis of the quhilk thyng, becaus I hade na sel propyr of myn awn, I haf procurit with instance the sel of an nobil man, Johne of Montgumery of the Corscrag, knycht, to be set to, the xxiii day of Discembar, zer of God I^{M} V hundreth and tua zeris, befor thyr witnes, Thom of Montgumery, broder to the said Alexander, Thom of Relstoun, John Comine, Jok Hommyl, with otheris dyuers.

TACK by Margaret Blair, spouse of the deceased Robert Montgumery of Giffyn, to Alexander Montgumery of Giffin, her good-son, of her terce lands [May 1503].

76. BE it kend to all men be thir present letteris, me Mergret Blair, spous to wmquhile Robert Montgumery of Giffyn, and lady of that ilk thrid, tyll haue gevin, grantyt, and set, and be thir my present letteris gevis, grantis, and settis to my weil beluffit gud sone, Alexander Montgumry of Giffin, and to his airis, all my terss landis of Giffin the quhilkis Robert Montgumry wmquhile my husband deit in vestit and saisit as of fee; and alsua the landis quhilkis Dame Jonet Houstoun had in coniunc fifment and terss; the said Alexander entirand to my landis and terce the xviii day of the moneth of Maye, in the zeir of God ane thousand fif hundreth and thre zeris: Haldin and to be had all and haile my saidis landis and terce forsaidis, wyth thair pertinentis, to the forsaid Alexander and his airis, for all the dayis of my lif, as thai ly in lynth and in breide, wyth all fredomys, in buscis, planys, muiris, maressis, housis, begynnys, zardis, cornelandis, medowis, fisching, foulying, halkin, hunting, woddis, vateris, peit, turf, and coile, millis, multuris and thair folowingis, wyth commoun pasture, fre ische and entre in and to the sammyn, wyth courtis and escheit of court; and with full power to mak bailzeis, to set and rais the saidis landis and terce as the forsaid Alexander thinkis maist expedient for him and his airis, for all the dayis of my lif; and wyth all vthir and syndry fredomis, asiamentis, commoditeis, and rychtwis pertinentis quhatsumeuir, alsweil nocht nemmyt as neymmyt, wnder zerd and abone, fer and neir, pertanand to the foirsaid land and terce of Giffyn be ony maner of way; and fre of all exactionis, questioun, demawnd, chargis, or secular seruice, that to the saidis landis and terce may be askit or requirit be ony maner of way: And I the forsaid Mergret Blair, spous to wmquhile Robert Montgumry of Giffin, this gift, grant, and set of my landis of Giffin and terce, to the forsaid Alexander and his airis, for all the dayis of my lif, agane all deidly sall warrand, acquiet, and defend: In witnes of the quhilk thing, becauss I had na seile propir and present, I haue procurit wyth instance the seil of ane honorable man, Johne Hammyltoun, burges of Glasgw, befor thir vitnes, Schir John of Montgumry of the Corss Crage, knycht, Archbald Hirbersone, burges of Glasgw, Johne Montgumry, broder german to Alexander Montgumry of Giffin, Thome of Ralstoun, Rob Millar, James Bar, and Thome Dalrimpill, with otheris diuerss.

DISCHARGE by Ninian Cochran to the Lord Mongumry, 8th December 1505.

77. BE it kende tyll all men be this present wryt, me Nyniane Cochran tyll haf rasawyt fra Johne Mwr, seriande to my Lord Mongumry, the sowm of fowrty powndis of gud and wsuall mony of Scotlande, for the rest and complet payment of thretten schor of merkis of mony awande to me be the saide Lorde for my landis in Bwyt; of the quhilk sowme of fowrty powndis I grant me weill content, pait and assythit, in noumeryt mony, and quhyetclamys, exhoneris and dyschargis my

said Lorde, hys ayris, executouris and assignais thairof, for now and ewyr: In wytness of the quhilk thing, I haf affixit my seill to this present quhyetclame, at Glasgw, the awcht day of the moneth of December, in the zeir of God ane thousande fywe hunder and fywe zeiris; before thir wytness, Maister Archibawld Craufurde, Vecar of Erskyn, Schir Thomas Spence, Dauid Anderson, and Wylzem Hewyng.

NOTARIAL INSTRUMENT in favour of the daughters of the deceased Alexander Mungumre of Giffin, and Jonet Dunlop, 29th June 1506.

78. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Dominice Incarnacionis millesimo quingentesimo sexto, mensis vero Junii die vicesimo ix°, indictione decima, pontificatus sanctissimi in Christo patris et domini, domini nostri Julii diuina prouidencia pape secundi, anno 3° In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir, Ninianus Stevart, vicecomes de But, personaliter existens super fundum terrarum de Giffin, ex parte borientali terrarum de Giffin, ibidem ex suo proprio motu et consensu, concedebat ipsum Ninianum dare et persoluere filiabus procreatis inter Alexandrum Mungumre, quondam Dominum de Giffin, et Jonetam Dunlop, relictam prefati Alexandri, centum mercas bone et sufficientis monete regni Scocie, ad maritagium prolium dictorum quondam Alexandri et Jonete Dunlop, olim sue sponse, semper et quousque dicte proles fuerunt maritate; hoc est, dicte cuilibet puelle dictorum quondam Alexandri et Jonete Dunlop, olim sue sponse, centum mercas vsque prefate puelle fuerunt maritate, si nulla racionabilia obstant indictata; et ad visum et consideracionem prefati Niniani Stevart, Constantini Dunlop de eodem, Villelmi Dunlop et Jonete Dunlop: Super quibus omnibus et singulis petiit ipsa Joneta Dunlop a me notario publico subscripto sibi publicum instrumentum: Acta erant hec super fundum terrarum de Giffin, ex parte borientali terrarum de Giffin, hora xi ante meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem prouidis viris, Johanne Dunlop, filio et apparenti herede Constantini Dunlop de eodem, Johanne Calduel, Macolmo Calduel, Mergareta Hommyl, et Johanne Hommyl, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Riklintoun, clericus Glasguensis diocesis presbyterque, imperiali et papali autoritatibus notarius, et quia etc.

PATRICIUS RIKLINTON.

INSTRUMENT of RELAXATION by John Lord Maxwell from King James IV., of the lands of Mernes and Nethirpollok, 26th February 1506.

79. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo sexto, mensis vero Februarii die vicesimo

sexto, indictione decima, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidencia pape secundi, anno quarto: In mei notarii publici et testium subscriptorum presencia personaliter comparuit nobilis et potens dominus, Johannes Dominus Maxwell, coram excellentissimo et serenissimo principe, domino nostro, Domino Jacobo Quarto, Dei gracia Scotorum Rege illustrissimo; et ibidem prefatus Johannes Dominus Maxwell ostendebat quoddam actum siue decretum dominorum consilii eiusdem domini Regis, datum apud Edinburgum, vndecimo die mensis Decembris, anno Domini millesimo quingentesimo sexto, penes recognitionem terrarum de Mernes et Nethirpollok cum suis pertinenciis, jacentium infra vicecomitatum de Renfrew, alias in manibus dicti supremi domini nostri regis recognitarum, prout in dicto acto siue decreto plenius continetur: Et tunc, post ostensionem et lecturam eiusdem decreti, idem Johannes Dominus Maxwell, virtute et vigore eiusdem, petiit a dicto supremo domino nostro Rege huiusmodi terras de Mernes et Nethir Pollok, sic vt premittitur in manibus sue excellentissime maiestatis recognitas, ad plegium sibi dimittere, et dictam recognitionem desuper factam relaxare: Quiquidem supremus dominus noster Rex, predictas terras de Mernes et Nethir Pollok cum suis pertinenciis, predicto Johanni Domino Maxwell ad plegium dimisit, et dictam recognitionem desuper factam relaxauit, secundum formam et tenorem dicti decreti predictorum dominorum consilii desuper confecti, prout in eodem plenius continetur: Super quibus omnibus et singulis dictus Johannes Dominus Maxwell a me notario publico subscripto sibi fieri petiit hoc presens publicum Instrumentum: Acta erant hec in palacio dicti supremi domini nostri regis prope monasterium Sanctecrucis de Edinburgh, hora vndecima ante meridiem vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem nobilibus dominis, videlicet, Hugone Comite de Eglyntone et de Montgumry, Cuthberto Comite de Glencarne, Domino Kilmawaris, etc., Dominis Dauid Kennedy, Balliuo de Carrig, Willelmo Murray de Tulybardyne, militibus Willelmo Cvmyng, Heraldo, et Willelmo Spicehous, testibus ad premissa vocatis pariter et rogatis.

Et ego Constantinus Montgumre, arcium magister, clericus Glasguensis diocesis, publicus apostolica et regali autoritatibus notarius, quia, etc.

CONSTANTINUS MONTGUMRE.

PRECEPT by Hugh first Earl of Egglentoun, for infefting John Mungumry, son and heir of the late George Mungumry of Skelmourle, in the lands of Skelmourle, 19th August 1507.

80. HUGO Comes de Egglentoun et Dominus Mungumry, ac dominus superior terrarum de Skelmourle, jacentium in balliatu de Cwnyngham, infra vicecomitatum de Ayre, nunc in manibus nostris a tempore decessus quondam Georgii Mungumry de Skelmourle existentium, dilectis nostris, Johanni Mungumry, Roberto Mungumry, Johanni Boid, et Georgeo Cwnyngham, ac eorum alteri, coniunctim et diuisim, balliuis nostris in hac parte, specialiter constitutis, Salutem: Vobis et vestrum cuilibet, coniunctim et diuisim, precipimus et mandamus quatenus, visis presentibus, indilate saisinam, statum et possessionem hereditariam omnium et singularum predictarum terrarum de Skelmourle cum pertinentiis, dilecto nostro consanguineo, Johanni Mungumry, filio

et heredi dicti quondam Georgei Mungumry de Skelmourle, vel suo certo actornato, latori presentium, secundum formam et tenorem carte antique infeodationis quam inde habet, juste deliberetis et haberi faciatis, sine dilatione; et hoc nullo modo omittatis: Ad quod faciendum, vobis et vestrum cuilibet, coniunctim et diuisim, nostram plenariam et irreuocabilem committimus potestatem per presentes: In cuius rei testimonium sigillum nostrum presentibus est appensum apud Edinburgh, decimonono die mensis Augusti, anno Domini millesimo quingentesimo septimo, coram hiis testibus, Alexandro Lekprewik, filio et herede quondam Roberti Lekprewik de Bennene, Magistro Willelmo Mungumry, Jacobo Mungumry, Johanne Montfod, filio et herede apparenti Alexandri Montfod de eodem, et Patricio Mungumry, cum diuersis aliis.

INSTRUMENT of REQUISITION by Hugh Earl of Egillingtoune, against Robert Francis of Stane, 11th November 1507.

81. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnationis Dominice millesimo quingentesimo septimo, die vero mensis Nouembris vndecima, indictione vndecima, pontificatus sanctissimi in Cristo patris ac domini, domini nostri Julii diuina prouidentia pape secundi, anno quarto, et regni serenissimi ac inuictissimi principis nostri, Jacobi Quarti Scotorum Regis illustrissimi, anno vicesimo: In mei notarii publici et testium subscriptorum presenciis constitutus Johannes Gastoune, quamdam literam actornati capelle regie, mihi notario publico subscripto, perlegendam tradidit, huiusmodi sub tenore. Jacobus Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quod suscipimus Johannem Monefoide, Constantinum Montgomery, Thomam Montgomery, Johannem Gastoune, Robertum Russel, Johannem Vardlaw et Johannem Gardinnar, vel eorum aliquos vel aliquem, actornatos vel actornatum dilecti consanguinei nostri, Hugonis Comitis de Egillingtoune, in omnibus negociis et loquelis, placitis et querelis, motis seu mouendis, ipsum Hugonem tangentibus seu tangere valentibus, quibus quibuscumque diebus et locis, contra quoscumque et coram quibuscumque: Quare vobis precipimus et mandamus quatenus dictos Johannem, Constantinum, Thomam, Johannem, Robertum, Johannem, et Johannem, vel eorum aliquos vel aliquem, quos vel quem presentes vel presentem esse contigerit, tanquam actornatos vel actornatum predicti Hugonis, in premissis recipiatis: Presentibus post annum minime valituris: In cuius rei testimonium has literas nostras sibi fieri fecimus patentes, apud Edinburgh, secunda die mensis Novembris, anno regni nostri vicesimo: Cuiusquidem littere virtute, dictus Johannes Gastoune, actornatus ut supra, petiit a Roberto Francis de Stane ibidem presente, nomine dicti Comitis, sex celdrias farrine et sex libras piperis, anni redditus terrarum de Stane et Sanct Bridis Kyrk, dicto Comiti hereditarie spectantes et pertinentes, non solutos de tribus terminis jam dudum immediate vltime elapsis; cui dictus Robertus asseruit controuersias, compotus et debata fore inter dictum Comitem et ipsum Robertum, lite pendente indecisa ante supremum dominum nostrum Regem et dominos sui consilii regali in curia, dictam summam farrine et piperis minime concedendo aut negando: Super quibus omnibus

et singulis sic premissis, dictus Johannes Gastoune a me notario publico subscripto sibi fieri petiit publicum instrumentum: Acta erant hec super fundum terrarum de Sanct Bridis Kyrk, hora quasi nona ante merediem, sub anno, die, mense, indictione, pontificatu et regno quibus supra: Presentibus ibidem, dicto Roberto Francis de Stane, Johanne Montgomery, germano dicti Comitis, Johanne Steyne, Johanne Rankin, Nicholayo Movyre, et Dauid Kelso, scholario, cum diuersis aliis testibus ad premissa vocatis pariter et requisitus.

Et ego Thomas Scot, in artibus magister, clericus Glasguensis diocesis, publicus regia autoritate notarius, prefati annui redditus interrogationi, ceterisque, etc.

THOMAS SCOT.

CHARGE by King James IV. to the Bailie of Cunnynghame, to decide between Jonet Dunlop and Margaret Blair, 17th January 1507.

82. JAMES be the grace of God King of Scottis, To oure Bailze of Cunnynghame and his deputis, Greting: Forsameckle as it is humlie menit and schewin to ws be oure louit oratrice, Jonet Dunlop, the spous of vmquhile Alexander Montgumry of Giffin, that quhare efter his decess sho wes full seruit be breves of oure chapel of a resonable teirce of his landis of Giffyne, of the myl of Heslait, with the landis callit the Thridpart, and wes lauchfullie enterit thairto be the ourlord thairof, and peceablely broukit the samyn be the space of twa zeris, without ony interruptioun or impediment: Neuirtheles Margrete Blair, the said vmquhile Alexanderis gud moder, quhilk has a part of the saidis landis assignit to hir in contentatioun for hir hale terce, now vexis and troublis the said Jonet, be assistence and menys of hir said ourlord, and stoppis hir in the vptaking of xi bollis of mele zerlie, be the space of twa zeris, aucht to hir for the said myl of Heslait, togidder with xl stane of cheis, aucht to hir for the saidis landis of the Thridpart, nochtwithstanding scho wes seruit thairof be ane inquest, and peceablelie broukit the samyn as said is, as is allegit; Our will is, and we charge zou stratlie and commandis, that in continent thir our letteris sene, ze call baith the saidis partiis befor zow, and ministere justice equalie to thame in the said mater, in sic wis that the said Jonet [haue na re]sonable caus of complante eftirwartis in zour defalt, as ze will ansuere to ws vppoun the executioun of zour office, and vnder all panis and charge that efter may folowe; deliuering thir oure letteris, be zou deulie execute and indorsat, agane to the berar: Gevin vnder oure signete at Edinburgh, the xvii day of Januar, and of our regne the xx zeir.

Ex deliberatione dominorum consilii.

J. DOUGLAS.

The x day of the meneth of Februar, the zer of God, etc., vii zeris: I Robert Barrone, seriand of Conynghame, passit to the merkat cors of Irwyne, and thar opynly proclamit, at the command of Johne Montgomery, balze depat of Conynghame, in his presens, the Kingis letteris impetrat be Jonet Dunlop, ane of the ladeis of Giffyne, to be seruit in the Tolbuth of Irwyn vpone the ix day of Marche; makand intimacione to all parteis to be thar in lachfull tyme; and this I did befor thir witnes, Johne Kelso of Kelsoland, Robert Fergushill of that Ilk, and Thomas Ralstone; and to the execucione of myn office, I haue affixit to my signet, zeir, day, and plase forsaid.

INDENTURE between Hugh first Earl of Eglintoun and Robert Frances of the Stane, for a marriage betwixt William, or Hew Montgomery, sons of the Earl, and Elizabeth, daughter of Robert Frances, 20th January 1507.

83. THIR Indentouris maid at Edinburgh, the twenty day of Januare, the zere of God ane thousand five hundreth ande sevin zeris, contenis, proportis, ande beris witnes that it is appunctit and concordit betuix ane nobill ande michty lorde, Hew Erle of Eglintoun, on the ta parte, and Robert Frances of the Stane, on the tother part, in maner, forme, ande effect as eftir folowis; that is to say, that William Montgomery, sone to the said Erle, sall mary, God willand, ande haue to wife Elizabeth, dochter to the said Robert Frances, and failzeing of the said William in the completing of the said mariage, Hew Montgomery, elikwiss sone to the said Erle, sall mary ande haue to wife the said Elizabeth; the quhilk mariage betuix the saidis William or Hew, quhilk of thame that happynnis to compleit the samyn, and the said Elizabeth, salbe completit, God willing, within ane zere nixt and immediat efter foloing the date of thir presentis: For the quhilk mariage tobe completit as said is, the said Erle on the ta part remitis ande dischargis, and als quytclamis all dettis and sovmes of money that the said larde of Stane aucht to the said lorde in tymes bigane befor the making of this writt: And elikwise the said larde of Stane remittis, quitclamis and dischargis the said Erle of all dettis, sovmes of money, actions, causis and querelis that he mycht haue askit of the said Erle in tyme bigane befor the making of this present writt, on the tother pairt: And als the said Erle sall gif to the said William ande Elizabeth, and failzeing of the said William, to the said Hew ande Elizabeth, quhilk of thame sall happin to contract mariage with the said Elizabeth, in coniunct fee, and to the airis male tobe gottin betuix thame; and failzeing thairof, to the said William or Hew, quhilk of thame that happynnis to compleit the said mariage, and thare airis male quhatsumeuir, land liand within competent place, zeirly worth twenty merkis vsuale money of Scotland, ande to be haldin of the said Erle and his airis, as ourlord, in warde ande releif: And als the said Erle sall suffir and thole the said Robert Frances of the Stane, for all the dais of his liftyme, to lift, vptak and rais to his vtilite and proffeit, foure chalder of mele and ane pund of peppir, aucht ande pertenand to the said Erle for annuale of the saidis landis of the Stane zeirlie: And als the said Erle sall infeft the said annuale to the saidis William and Elizabeth or Hew, quhilk of thame happynnis to compleit the said mariage, and to the airis male to be gottin betuix thame; and failzeing thairof, to cum agane to the said Erle and his airis, and to be haldin of the said Erle and his airis, as ourlord, in warde and releif: And als the said Erle sall sustene and find the saidis William and Elizabeth, or Hew, quhilk happynnis to compleit the said mariage, induring the said Robert Frances liftyme: And for the causis abone writtin, the said Robert Frances of the Stane, apon the premunitioun of aucht dais warnyng beand maid till him be the said Erle or his airis, sall resing and ourgif in oure souerane lordis handis all and hale the landis of the Stane, propirtie and tenandrie, with seruice of fre tenentis, in fauour of the said William Montgomery and Elizabeth, or Hew Montgomery, quhilk of thame happynnis to compleit the

said mariage, in coniunct fee, and to the airis to be gottin betuix thame; and failzeing thairof, to the nerrest and lauchfull airis quhatsumeuir of the said William or Hew, quhilk of thame happynnis to compleit the said mariage; reseruand ane terce of the saidis lands to the said Robertis wife quhatsumeuir, quhilk he is in fee of at the making of this contract, to be haldin of our souerane lorde the King be seruice of warde and releif: And gif the said Robertis wife be in coniunctfeftment of the saidis landis, scho sall with gude will and fauuouris gif our hir coniunctfeftment thairof, and cum in jugement befor the spirituall juge, and swere that scho is nocht compellit thairto; and scho in that cais to brouk the franktenement of the saidis landis of the Stane for all the dais of hir life: And becaus the said Robert Frances has ane vther dochter, ane of the apperand airis to him, to the quhilk he thinkis he wald gif sum pairt of contentatioun; tharfor the said Erle sall gif to the said Robert Frances ane hundreth merkis vsuale money of Scotland, to dispone thairupon as he plesis for his conscience: And gif the said Robert gettis airis male lauchfullie of his body, the saidis airis male sall haue ane letter of regress to the saidis landis of the Stane maid to thame; the saidis aire or airis first payand to the saidis William or Hew, quhilk of thame that sall happin to compleit the said mariage, thare airis or assignais, the sovme of five hundreth merkis vsuale money forsaid, in gold and siluer, the quhilk sovme of five hundreth merkis the said Robert Frances grantis him to haue ressauit in nowmerit money befor hand, togidder with the sovme of thretty twa merkis and ane half merk zeirly induring the life of the said Robert, fra the date of thir presentis, for the annuall abone writtin of the landis of the Stane aucht to the said Erle, quhilk suld be tane vp be the said Robert for all the dais of his life, as said is; and that to be put and ekit in the letter of regres zeire be zere indurand his liftyme, togidder with the said sovme of five hundreth merkis: And for the observing of all the premisis, ather of the saidis parteis ar bundin to vtheris be the faithis and treuthis in thare bodeis, the haly ewangelis twichit, vnder the pane of ane thousand pundis vsuale money of Scotland, for costis, dampnages, interesis, and expensis, to be pait be the pairty that failzeis in the fulfilling of this contract to the pairty abidand and fulfilland the samyn: And baith the saids pairteis salbe actit till vtheris in the Officialis bukis of Sanctandrois within the pairtis of Louthiane, for the fulfilling of the premissis, vndir the pane of cursing: And thir Indentouris salbe extendit in the sickirest forme that men of law can diuise, for the securitie and observing of all and sindry the premisis: In witnes of the quhilk thing, to the parte of thir Indentouris remanand with the said Erle the said Robert has affixt his sele, with his subscriptioun manuall, twiching the pen, causand ane vthir to subscriue for him, becaus he couth nocht write him self; and to the parte of thir Indentouris remanand with the said Robert, the said Erle has affixt his sele, togidder with his subscriptioun manuall, zeire, day and place forsaidis; befor thir witnes, Schir Johne Kennedy of Cowlane, Knycht, Maister Matho Ker, Vicar of Petirculter, Maister Thomas Frank, Andro Lyne of that Ilk, Thomas Fergusson, Constantyne Mungumry, and Michaell Machilcalloun, with vtheris diuers.

Seal: A mascle between three stars.
Legend: S. Roberti Francis.

Robert Franciss of the Stane, wyth my hand on the pen.

DISCHARGE by James, Archbishop of Glasgo, to Hugh first Earl of Eglingtoun, 6th June 1509.

84. WE, James Archbeschop of Glasgo grantis ws to haue rasauit fra Hew Erle of Eglingtoun, the some of ane hundreth merkis vsuale monee of Scotland, for the composicioun of the ward of the five lib. land of Kelle, liand within the schirefdome of Renfrew; of quhilk some of ic merkis for the composicioun forsaid, we hald ws content and payit, and in our souerane lordis name quitclames and dischargis the said Erle thairof for now and euer, be this acquitance: Writtin vnder our signet at Striuelin, the vi day of Junii, the zeir of God ane thousand five hundreth nyne zeris.

INSTRUMENT of PROTEST against the trial of Robert Boyman, John Gardner and John Galstone by the Sheriff of Arc, 31st July 1509.

85. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnacionis Dominice millesimo quingentesimo nono, mensis vero Julii die vltimo, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri domini Julii diuina prouidencia pape secundi, anno sexto: In honorabilis viri, Mathei Campbell in Terrynzane, vicecomitis de Arc, pro tribunali sedentis in curia dicti vicecomitatus, tenta in pretorio burgi de Arc, meique notarii publici et testium subscriptorum presencia personaliter constitutus Johannes Muntogumberye, frater nobilis et potentis domini, Hugonis Comitis de Eglingtone, Balliuique de Conigham, et Johannes Muntogumberye, balliuus burgi de Irwyn, deputatus prefati Balliui de Conigham, judicialiter comparentes; Primo, petierunt Robertum Boyman, Johannem Gardner et Johannem Galstone, clientes dicto balliuo, accusatos super spolio duorum bouum a Roberto Lyndessay et Elizabeth Holmys, commorantibus in Dreghorn Conigham et Caprunstane, replegiari ad curiam dicti balliuatus de Conigham; ex et pro eo quod dictum assertum spolium commissum fuit sub sua jurisdictione de Conigham; qui quidem vicecomes processit super huiusmodi spolio, jure ordinario: Quare solenniter protestati sunt prefati balliui deputati quod huiusmodi processus aliquatenus balliuo de Conigham, aut suo priuilegio, non cederet in preiudicium: Tum, secundo, dictus Johannes Muntogumberye, balliuus de Irwyn, prelocutorque et eo nomine dictorum Roberti, Johannis et Johannis, clientium, asseruit quod prefatus vicecomes non procedere debuisset in dicta causa, ex et pro eo quod ipsius clientes supersectati [sunt] dictos boues ad mandatum dicti balliui de Conigham, pro duobus amerciamentis spectantibus supremo domino nostro Regi, in quibus dominus de Dreghorne Conigham et Perstone Conigham amerciatus est; et de quibus ipse balliuus de Coningham, vt asseritur, exoneratus est in scaccario, et petiit terminum competentem pro productione huiusmodi: Quare solenniter protestatus est prefatus prelocutor, nomine quo supra, quod, quicquid actum factum vel aduocatum fuerit penes dictam accusacionem, predictis clientibus minime preiudicaretur: De et super quibus omnibus et singulis petiit prefatus Johannes Muntogumberie, nominibus quibus supra, vnum aut plura, instrumentum vel instrumenta, publicum seu publica, per notarium publicum subscriptum inde fieri:

Acta erant hec in facie judicii, hora duodecima in meridie vel eocirca, sub anno, die, mense, loco, indictione et pontificatu quibus supra: Presentibus ibidem honorabilibus viris, Johanne Schaw de Haly, Dauid Craufurd de Kers, Roberto Conigham de Conighamheid, et Archibaldo Maxwell, cum multis aliis testibus ad premissa vocatis pariter et rogatis.

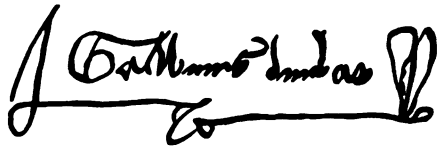
Et ego vero Jacobus Prestone, clericus Glasguensis dioceseos, sacra apostolica ac regia autoritatibus notarius publicus: Quia, etc.

JACOBUS PRESTONE.

DECREE at the instance of Hugh first Earl of Eglintoun and others, against Matthew Campbell, Sheriff of Air, etc., 7th February 1509.

86. AT Edinburgh, the vii day of Februar, the zere of God I^{M} V^{c} and ix zeris: The lordis of counsall vnderwrittin, that is to say, nobill and mychty lordis, Archibald Erle of Ergile, Matho Erle of Levinax, William Erle of Erroll, Dauid Erle of Cassellis, Robert Lord Erskin, George Lord Seytoun, Andro Lord Avandale, George Lord of Sanct Johnis, Patrik Lord Lindesay, Johnne Lord Hay of Zestir, Maistir Gawane Dunbar, Archidene of Sanctandros and clerk of the register, Schir Johnne Ramsay of Trarenzeane, William Scot of Baluery, knichtis, and Maistir James Henrisoun, Justice Clerk; anent the summondis maid at the instance of Hew Erle of Eglintoun, Robert Boyman, Johnne Galstoun, and Johne Gardiner, seriandis of the bailzery of Cunynghame, agane Matho Campbell, schiref of Air, Gawane Kennedy, knycht, Johnne Schaw of Halye, and the remanent of the persounis being apoune ane assis, in ane actioun movit agane the said seriandis be Robert Lindesay in Dregarn and Elizabeith Holmys in Caprinstoun, anent the allegit spoliatioun maid be thame of ane ox fra the said Robert furtht of the landis of Dregarn, and of ane vther ox furtht of the landis of Caprinstoun fra the said Elizabeth; that is to say, agane the said schireff for his iniust proces, and agane the said inqueist for thar errour in the determinatioun of the said actioun for diuers causis, lik as at mar lencht is contenit in the said summondis; and agane the saidis Robert and Elizabeth for thare interes; the said Hew Erle of Eglintoun, Matho Campbell, Schir Gawane Kennedy, and Johne Schaw of Halye being personaly present, and als the saide Erle comperand as procuratour for his said seriandis, and the said Robert and Elizabeith comperand be Robert Cunynghame of Cunynghameheid, thar procuratour; and the remanet of the persouns being apoun the said assise being lauchfully summond to this action, oftimes callit and nocht compeirit; the partiis presentis rychtis, ressouns, and allegatiouns herd, sene, and vnderstand, and thairwith being riply avisit: The Lordis of Counsall decretis and deliueris that the saidis personis being apon the said assise, has ignorantly errit in thar deliuering apoun the said actioun, becaus thai procedit thairintill, ane dome beand gevin of befor in the said mater in the bailze court of Cunynghame, and vnfalsit or reducit, lik as wes sufficiently previt befor the saidis lordis; and thairfor decernis thair deliuerance of nane avale, force, nor effect, in jugement nor outwith, in tyme tocum: Extractum de libro actorum per me, Magistrum Gavinum

Dunbar, Archidiaconum Sanctiandree, clericum registri rotulorum ac consilii supremi domini nostri Regis, sub meis signo et subscriptione manualibus.

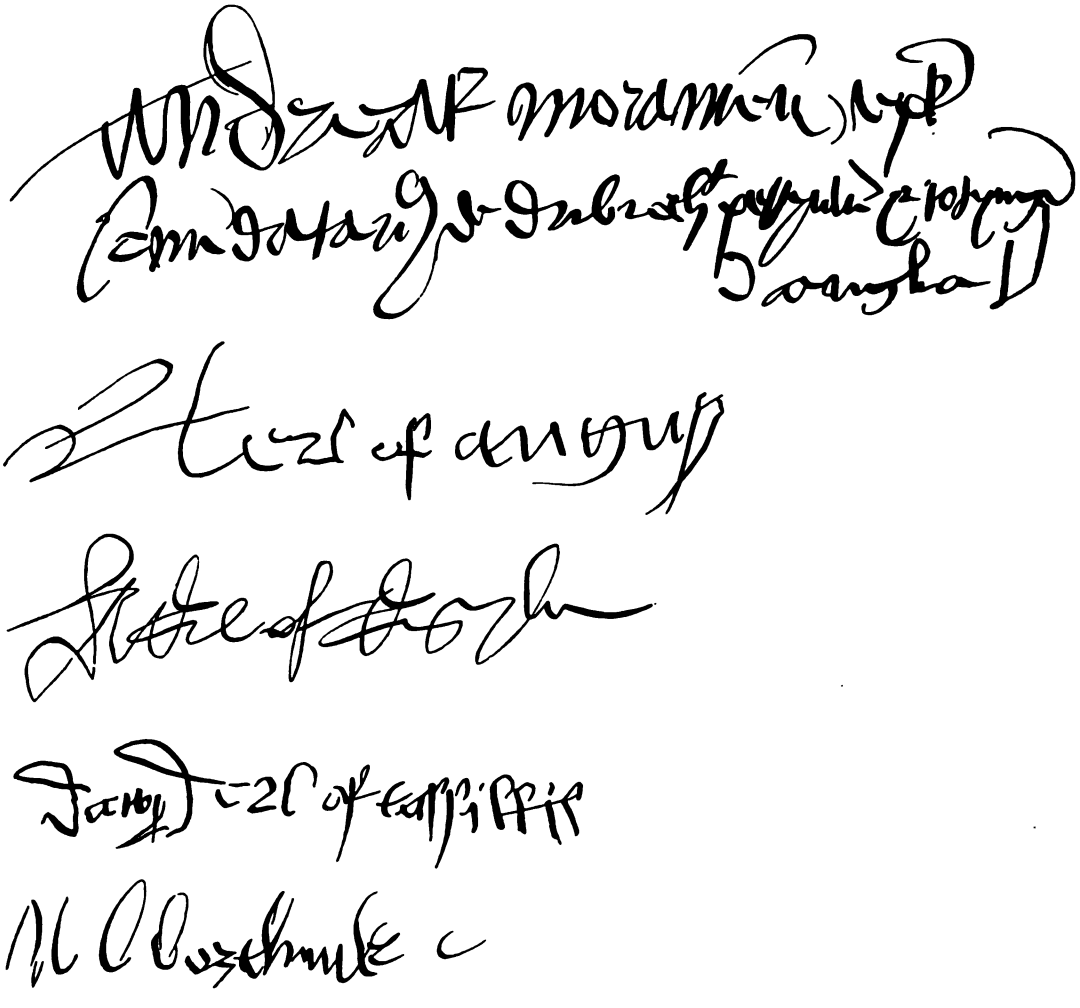


DECREE ARBITRAL by Andrew Bishop of Murray, and others, between Cuthbert Earl of Glencarne, and Hugh Earl of Eglintoun, etc., 12th January 1509.

87. AT Edinburgh, the xii day of Januar, the zere of God ane thousand five hundreith and nyne zeris: We, Androu Bischop of Murray, Commendatour of Driburgh, Pettinweme, and Cottinghame in Ingland, Archibald Erle of Anguse, Lord Douglas, etc., Archibald Erle of Ergile, Lord Campbele and Lorne, Dauid Erle of Cassillis, Lord Kennedy, and William Lord Borthuik, jugis, arbitouris, arbitratouris, and amicabill componitouris, equaly and commonly chosine betuix noble and michty lordis, Cuthbert Erle of Glencarne, and Robert Cunyghame of Cunyghameheid, on the ta parte, and Hew Erle of Eglintoun on the tothir part, that is to say; the saidis Erlis for thair selfis, thair aieris, frendis, kynnismen, men, and seruandis, and the said Robert, for him self, his men, and seruandis, anent all and sindry actionis, debatis, questionis, querrellis, contrauersyis, or demandis betuix the saidis partiis, thar frendis, kynnismen, and seruandis, be ony occasioun befor the xxviii day of Nouember last bipast, movit or to be movit, and how the saidis partiis and thar aieris sall haue thame togidder in tyme tocum: And alsua, we the said Androu Bischop of Murray, etc., as juge, arbitour, arbitratour, and amicabill componitour alanerly chosine betuix the said Erle of Eglintoun and Johnne his son and aire apperand, thar kynnismen, frendis, men, and seruandis, and William Cunyghame of Craganis, and William his sone, for thar interes in the premissis, oure Souerane Lord beand heirto first avisit and consentand, anent all maner of debatis, contrauersyiis and querellis betuix thame throw ony occasyoun bigane, befor the said xxviii day movit or to be movit; all the saidis partiis being compromittit, oblist, and suorne to vnderly and obey our decrett, dome, sentence, and ordinance in the premissis; lik as at mar lentht is contenyt in the compromess maide thar uppoun; and als all the saidis partiis befor specialy nemmyt being warnit and comperand personaly befor ws, and thar richtis, ressounis, and allegatiounis be ws at lentht herd, sene, and vnderstand, and thar with riply avisit; We, havand God befor ee, all in ane voce, anent the first parte of the said compromiss, tuiching the saidis Erlis, thar frendis, kynnismen, men, and seruandis, and the said Robert Cunyghame, his men and seruandis, decretis, deliueris, ordanis, and for fynall sentence gevis, that the said Erle of Eglintoun has full and heretabill richt to the office of bailzery of Cunyghame, and thairfor he and his aieris sall peceabilly brouk the samyn in tyme tocum; and als that the said Erle of Glencarn and his son sall renunce and giff oure to the said Erle of Eglintoun and his aieris, all richt and titill of richt, petitiour or possessour, that he, the said Erle of Glencarn, or his aieris, haid or has

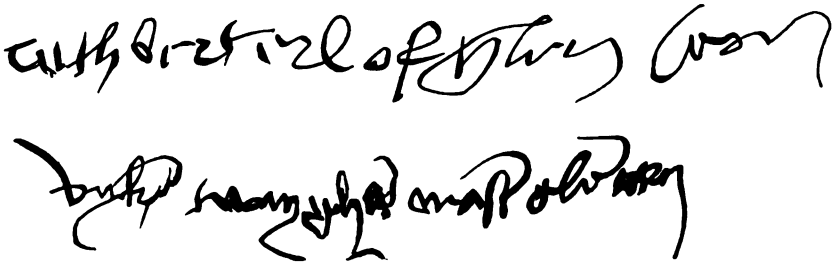
tharto in the best form; and tharfor the said Erle of Eglintoun sall pay and deliuer to the said Erle of Glencarne the sovm of sex hundreith markis vsuale money of Scotland in this wise; that is to say, now in hand the sovme of thre hundreith markis, and four days befor the fest of Witsounday nixt tocum, the remanent thre hundreith markis, in complete payment of the said vi^{c} markis: And attour, we the said Androu Bischop of Murray, etc., juge, arbitour, arbitratour, and amicabile componitour alanerlie chosine betuix the said Erle of Eglintoun and the said Johne his son and air apperand, thar kyn, frendis, men and seruandis, and the said William and William his sone, as said is, the saidis partiis being personaly present befor ws, and thar richtis and allegationis being be ws at lentht sene and vnderstand, we, havand God befor ee, elikwise decretis, ordanis, and for finale sentence gevis, that the said Erle of Eglintoun sall pay and deliuer to the said William Cunyghame and William his son the sovme of twa hundreth markis vsuale money forsaid, in this wise, that is to say, now in hand ane hundreth markis, and at the fest of Witsounday nixt tocum the said Erle of Eglintoun sall pay to thame the sovme of fifty markis; and we the said Androu Bischop of Murray, tuenty markis; and we the said Erle of Ergile, ten markis; and we the said Erle of Cassillis, x markis; and we the said William Lord Borthuick, ten markis; in complete payment of the said twa hundreth markis; and attour, the said Erle of Eglintoun and Johnne his son sall do sik honouris as beis be ws thocht expedient to the said William Cunyghame zoungar, for asithment and amendis of hurting and dampnage sustenyt tharthrow, attour the premissis: And all the saidis partiis sall hertfully forgiff vtheris all rancour and malice betuix thame, thar men, kyn, frendis and seruandis; and ilkane tak vtheris be the handis, and stand afald and kyndlie till otheris; and ilkane to tak otheris partis in all actionis lefull and honest for thame and thar aieris in tyme tocum: And as anent the particular debatis betuix the saidis partiis anent the taking of stedingis, rowmys, and teyndis, the saidis partiis sall vse the counsalis of ws, the saidis Erle of Anguse, Erle of Ergile, and Erle of Cassillis, or ony twa of ws, the said Erle of Anguse beand ane, with vthir sik sobir frendis as we pleiss to tak till ws at hame; and giff we can nocht aggre thairvppone, the saidis debatis to be referryt till ws all the saidis jugis aboune writtin thairefter, and to be decidit be ws, and as we ordane thai to obserue and keip, sa that na maner of contrauersiis sall be betuix the saidis partiis in tyme to cum: And all thir debatis vndecidit to be decidit betuix this and Witsounday nixt tocum; and in tyme tocum that nane of the saidis partiis, nor thar kyn, frendis, nor seruandis, tak vtheris stedingis, rowmys or takkis oure vtheris hedis, nor nane of the said Erlis sall fee the totheris men without thar speciale leiff askyt and gevin of vtheris: And gif it happynnis, as God forbeid it do, ony of the saidis lordis Erlis, or thair aieris, or ony that thai may lett, but fraud or gile, till failze or brek till vtheris in ony of thair partis of the premissis, the partii brekand sall pay to the kirk of Glasgw v^{c} markis, to the kirk of Murray, ane thousand pundis, for the breking of thar faith and oblising, to our Souerane Lord ane thousand pundis, in name of pane, and to the partii kepand twa thousand mark vsuall money of Scotland, for dampnis, interes, and expensis sustenyt and to be sustenit thairthrow; neuertheles the premissis ay

standand in effect in jugeament and vtwith: And attour, we the said Andro Bischop of Murray, etc., ordanis the said Erle of Eglintoun and his son to fullfill and keip the premissis, insafer as pertenis to thame, to the said William Cunyghame and William his son, and outher mak thame souerteis thairof as thai sall be contentit with, or ellis sall pay to thame the sovme of v^{c} markis, for coistis, scaithis, dampnage, and interes sustenyt or to be sustenyt in the defalt of non keping or fullfilling of the premissis: And this oure sentence and decreit gevin and pronuncit, day, zere, and place forsaidis, befor thir witnes, William Ros of Montgrenane, Maister Johnne of Murray, Anguse Herrald, and William Haliburtoun, with vtheris diuerss: And for mair verificatioun we haue subscriuit the sammyn with oure handis, and appensit and put to oure selis of armys.



DISCHARGE by Cuthbert Earl of Glencarne, and William of Conyghame, his son and heir, to Hugh first Earl of Eglentovn, 27th May 1510.

88. BE it kend till all men be thir present letteris, ws Cuthbert Erle of Glencarne, and Williame of Conyghame, our sone and aire, to haue tane and rasauit fra the handis of ane noble and mychty erle, Hew Erle of Eglentovn and baillie of Conyghame, all and haile the sowme of four hundretht pundis of gud and wsuale mony of Scotland, to the vtilite and profet of ws, ouris ayris and assignais; the quhilk was adiugit to ws, our ayris and assignais, be ane sentence arbitrale diffinitiff gevin and deliuerit be thir noble, mychty, and potent lordis wndervrettin, thai ar to say, Archebald Erle of Argile, Archebald Erle of Angus, Dauid Erle of Cassillis, Williame Lord Borthik, and ane wenerable fadir in God, Andro Forman, Bischop of Murraye, tuchene the debatable materis betuex ws and the said Erle of Eglentovne, and specialy anent the dicesione and declaracione of the bailzery of Conigame, the quhilk was adiugit be the saidis lordis to the said Erle of Eglentovne, his ayris and assignais, fra ws, ouris ayris and assignais; lik as the compromittis, decretis, and actis maid, deliuerit, and gevin tharapon at mayr lyntht fullely proportis and beris; the quhilkis actis and decretis ar ackit in the bukis of our souerene Lordis sessione, and in the bukis of spiritual lordis: Off the quhilk sowme of four hundretht pundis, as said is, gevin, payit, and deliuerit to ws, for the causis forsaid, we hauld ws weile content, assythit, and payit, and alsua we, and for ws, ouris ayris, executouris, and assignais, quitclamis, exoneris, and dischargis the said Erle of Eglentovne, his ayris, executouris, and assignais, of the sowme of four hundretht pundis as said is, for now and ewir: In witnes of the quhilk thing, we haue ilkane deuisly to hwng oure propir seyle of armis to thir presentis, to gidder wyth oure subscripcionis manualis, at Montgrenan, the tuenty sevin day of Mayi, in the zeir of God ane thousand five hundretht and ten zeris, befor thir witnes, Williame Rois, Curatour of Mungrenane, Maistir Cristofir Boyd, Niniane Conyghame, chaplanis, Robert Boyd of Portincors, Thomas Ralstovne of the Roisholme, and Johne Munfod, sone and ayr to the lard Munfod, wyth oderis diuers.



NOTARIAL REQUISITION at the instance of Hugh Earl of Eglentovne, against John Tempiltowne, etc., 9th February 1510.

89. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnationis Dominice millesimo quingentesimo decimo, die vero mensis Februarii nono,

indictione decima tertia, et pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidentia pape secundi, anno septimo: In mei notarii publici et testium subscriptorum presentia personaliter discretus vir, Johannes Mowet, filius et heres apparens honorabilis viri, Johannis Movat, Domini de Busby, in hac parte constitutus et ordinatus legittimus procurator nobilis et potentis Hugonis Comitis de Eglentovne et Domini Montgomery, accessit ad domos habitationis discretorum virorum, viz., Thome Legat, burgensis burgi de Irvin, et Thome Boyd in Kilmarnok; ibique honorabilibus viris, Johanne Tempiltovne, filio et apparenti herede honorabilis viri, Eduardi Tempiltovne, Domini de Tourlandis, et Bertolomeo Akinloss, Domino eiusdem quoddam procuratorium predicti nobilis et potentis Comitis amicabiliter et fauorabiliter presentauit, michique, notario subscripto, prefatis tradidit perlegendum; quo perlecto, secundum formam et tenorem huiusmodi, summam centum librarum bone et vsualis monete Scotie, vna cum sufficienti litera assedationis trium annorum predictarum terrarum, secundum formam et tenorem cuiusdam reuersionis Roberto Conyghame de Coningameheid desuper confecte, sibi predicto Johanni Mowet deliberari, predictos Johannem et Bartolomeum prefatus Johannes Mowet inquisiuit, petiuit, et cum magna instantia rogauit; et quia predictam summam, cum predicta litera assedationis minime acquisiuit, a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu instrumenta: Acta erant hec in locis prenominatis, hora quasi vndecima ante merediem, vel cacirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, famosis et discretis viris, Roberto Campbell, burgense de Irvin, Eduardo Dougall, Johanne Tempiltovne, Thoma Boyd, Thoma Legat, Alexandro Mowet, et Johanne Craufurd, testibus ad premissa vocatis specialiter et rogatis.

Et ego Dionisius Murdochsone, presbyter Sanctiandree diocesis, sacra autoritate apostolica notarius publicus, quia, etc.

Dionisius Murdochsone.

Notarial Instrument in favour of the Laird of Skelmurle, 31st October 1511.

90. In Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnationis Dominice millesimo quingentesimo vndecimo, mensis vero Octobris die vltimo, indictione decima quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidentia pape secundi, anno octauo: In nobilis domini, Andree Domini Gray, Justiciarii supremi domini nostri Regis ex parte australi aque de Forth generaliter constituti, meique notarii publici et testium subscriptorum presentia, personaliter comparuerunt Johannes Norum et Johannes Sluthman, dudum officiarii et seruitores quondam Hugonis Campbell de Loudoun, vicecomitis de Are, et iudicialiter accusati fuerunt pro furtiua concelatione summe decem mercarum monete Scotie pertinentis dicto domino nostro Regi, per ipsos officiarios capte a domino de Skelmurle et domino de Kelsoland, pro compositione Thome Kelso: Quiquidem Johannes et Johannes, vnacum Adam Reid, eorum prelocutore, fatebantur, quod ceperunt huius-

modi summam a dictis dominis de Skelmurle et Kelsoland, et tradiderunt huiusmodi summam predicto vicecomiti de Aire: Super quibus omnibus et singulis prefatus dominus de Skelmurle a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum, seu publica instrumenta: Acta erant hec in pretorio burgi de Aire, hora vndecima, aut eocirca, ante merediem, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem nobilibus et potentibus dominis, Archibaldo Comite Angusie, Cuthberto Comite de Glencarne, honorabilibusque viris, Vmfrido Cunyngham de Glengarnok, et Magistro Jacobo Henrisoun, clerico Justiciarie, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Jasperus Mayne, Clericus Sanctiandree diocesis, publicus auctoritate apostolica imperiali et regali notarius, quia, etc.

JASPERUS MAYNE.

LETTER of REVERSION by Andrew Crawfurd of Badlane to Hugh first Earl of Eglintone, 4th May 1512.

91. BE it kend till all men be thir present letteris, me Andro Crawfwrd of Badlane: That for samekyll as ane noble and mychty lord, Hew Erle of Eglintone and Lord Montgumry, hes sauld and be the titill of selling hes analeit to me and myne aiaris, achtteyne schilling worcht of land of ald extent of his landis of Drummostyr, extendand now of new extent to ten merkis of gud and wsuall mone of Scotland; in wittalis the boll of meill gifand sax s. and viii d., the stane of cheis twa s., and the stirk vi s. viii d., liand wythin the schirefdome of Air, balzory of Cwnygham, and the barony of Ardrossane, and the norcht syd of the saidis landis of Drummostyr, for the sowme of twa hundrecht merkis of gud and vsuall mone of Scotland, geffin to me in part of assithment of the slachter of wmquhill Johne of Crawfwrd, my sone, slane be Wylzem Blair, broder germane to Johne of Blair of that Ilk, Johne of Blair, broder bastard to the said Johne, Wylzem Kelso, and Gawin Patrik; lik as is at mair lyncht contenit in endenturis and chartyr maid thair vppone. Neuer the less I wyll and grantis, that quhat tyme or quhow sone the said Hew, Erll, his airis or assignais, pais to me, or myn airis quhatsumeuer, the said sowme of twa hundreth merkis gud and vsual mone of Scotland, gold and syluer, in nowmerit mone, apone ane day, betwex the rysing of the sone and to passing of the samyne, in the abbay kyrk of Kylwynnyng, apone the hie altar of the samyn; I and myn airis foirsaid beand lauchfully warnit thareto apon fowrty dais warnyng, personaly, or at our dwelling place, or paroch kyrk; than it sal be lefull to the said Hew, Erle, his aris and assignais, to haue fre regres in and to the said achtteyne schilling worcht of land, wyth all and syndry the pertinence tharof; and I bind and oblis me and myn airis forsaid to gif our all rycht and tytill of rycht that I haue had, or may haue, in and to the said achttene schilling worcht of land of Drummostyr, wyth thare pertinence, wyth chartyr and saising maid to me thare vppone, sa the said Hew, Erle, his airis or assignais, nowmer the said mone, and leif it behind thaim in sour firmas and keping, to the vtilite and profeitt of me and myn airis forsaid: In wytnes of the quhilk thing to this my lettir of reuersione and obligatione my seill is hungin, wyth the sub-

scriptione of my hand, at Egleyntone, the ferd day of the moneth of Mai, in the zeir of God ane thousand fyf hundreth and xii zeris, befor thir wytnes, Williame Petcon, lard of [that] Ilk, Johne of Kyle, Alexander of Craufurd, Williame of Craufurd, and Schir Johne Myllar, publicat notar, wyth oderis diuers.

I Andrew Crawfurd of Baidlane wyth my hand on the pen.

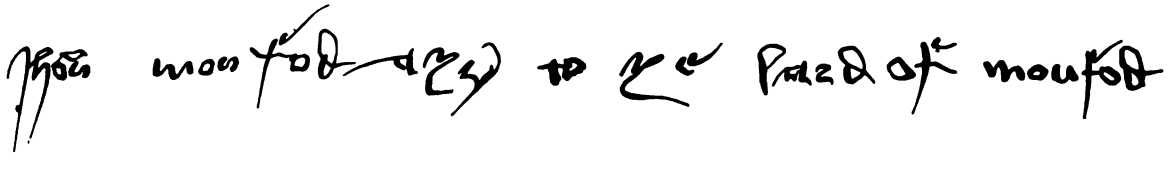
Obligation by Hugh first Earl of Eglintoun to Alexander Lekpreweik of that Ilk, 20th July 1512.

92. Be it kend till all men be thir present letteris, me, Hew Erl of Eglintoun and Lord Montgumry, to be bund and oblist, and be the tenour of thir presentis, byndis and oblissis me, my aieris and assignais quhatsumeuer, till ane honorabill man, Alexander Lekpreweik of that Ilk, his aieris and assignais quhatsumeuer, that nochtwithstanding the said Alexander hes analeit and wadset to me, my aieris and assignais, sewynteyne merkis wortht and a half of new extent zeirlie, payand at the makyne of thir present the said sovm, of his landis of Litill Bennane, liand within my lordschip of Eglissem and schirefdoum of Renfrew, and resignit the samyn in my handis as our lord to the sammyne: Neuer the les I will, and als byndis and oblisis me, my aieris and assignais quhatsumeuer, to the said Alexander, his aieris and assignais quhatsumeuer, that I nor thai sal nocht intromyt nor zit tak wp na frutis nor malis of the said landis of Litil Bennane, fra the said Alexander, his aieris or assignais quhatsumeuer, induring the spais and tyme of thre zeris fra the Witsonday furtht next eftir the makyne of thir presentis immediatlie folowand; and is content at the said Alexander, his aieris or assignais quhatsumeuer, browk and jois all malis, profettis, and deweteis pertenying the said landis of Litil Benane for the space and terme abone wrytyng, for his seruice to me done and to be done induryne the said termes: In witnes heirof to thir presentis I haif affixit my seill and with the subscriptioun of my hand, at Polnowon, the tuenty day of Julii, in the zeir of God, ane thowsand fyve hundreth and tuelff zeris, befor thir witnes, Alexander Monfoid, zoung lard of that Ilk, Jhone Montgumry in the Hoilhous, Schir Jhonne Leich, chaplaine, and Maister Nichol Wuthirspyune, notar public, with wtheris diuers.

Bond of Manrent by John Montfod, son and heir of Alexander Montfod of that Ilk, to Hugh first Earl of Eglintovne, 18th August 1513.

93. Be it kend tyll all men be thir present letteris, me Johne Montfod, sone and air tyll Alexander Montfod of that ilk, byndis and obleisis me and myne ayris perpetualy, be fayth and treutht of our bodeis, to be men and seruandis till my lord, Hew Erle Eglintovne, and his ayris, and

that I and my ayris sal nevyr wit, hurt, dampnegis nor skayth be nane maner of waye, nodir in prevy nor pert, bot I and my ayris sal lat it at our power, and stand in all our poweris to diffend the samyn, or that we may be ony maner of waye purches; and giff he or his ayris askis me or my ayris ony consell, we sal giff hyme the best we cane, and keip it secrat; with our housis, strynthis, to be at bandone to the said Erle and his ayris, at thar commandis, be me and myne ayris; and to be reddy at the said Erlis command and his ayris, to do thair seruice alsoft as he or his ayris chargis me or my ayris apone ouris awne expensis, be nycht or day, our Souerane Lord the Kyng excepit alanerly: And giff the said Lord desiris till haue this band maid in ane stratar forme as he wyll deuiss, I obleiss me faythfully till renev the samyn, at the command of the said Lord, apone aucht dayis warnyng: For the quhilk band, manrent, and seruice abone writtin, I grant me till hafe resauit and tane fra my said lord, Hew Erle Eglintovne, the sowme of fife hundretht merkis guid and vsuale mony of Scotland, in my vrgent necessite, the quhilk I mycht nocht hafe wantit for the tyme; of the quhilk sowme abone writtin I hald me weil content, assythit, and payit; for me, myne ayris, executouris, and assignais, quytclamis, exoneris, and dischargis the said Erle, his ayris, executouris, and assignais, for now and evir, be the tenour of thir presentis: And to the obseruene, kepene, and fulfilling of all pvntis and conditionis abone writtin, I bynd and obleis me, my ayris, executouris, and assignais, to the said Erle, his ayris, executouris, or assignais, in the sovme of fife hundretht merkis, for costs, dampnegis, and skaythis for the sovme abone writtin, and oderis gratitudis and thankfullnes done to me be the said Erle in my vrgent necessite, giff I or my ayris falzeis to the said Erle or his ayris in ony pvnctis, articulis, or conditionis abone writtin, and wnder the pane of periur, inhibilite, and defamatione, but fraud or gile: In witnes of the quhilk thyng I haue hwngin to my avne propyr seyle of armis to thir presentis, togidder wyth the subscriptione of my hand, at Polnone, the auchttene day of August, in the zer of God, ane thousand fife hundretht and threttene zheris, befor thir witnes, Johne Mowat, Archebald Montgomery, Johne Park, Alexander Arnot, Alexander Kar, Schirris Cuthbert, Vicar of Eglishame, Johne Mathesone, and Johne Dunlop, chaplains, wyth oderis diuerss.



Retour of John Stewart, as heir of the deceased Matthew Earl of Levinax, his father, in the castle and lordship of Crukisfew, etc., 11th October 1513.

94. Hec inquisitio facta apud Ranfrew, in pretorio eiusdem, coram honorabili viro, Willelmo Houstoun, vicecomite de Ranfrew in hac parte, per commissionem supremi domini nostri Regis sibi directam, vndecimo die mensis Octobris, anno Domini M° V°. xiii°, per hos subscriptos, viz.,

Willelmum Dominum Sympill, Niniarum Dominum Ross, Johannem Magistrum Montgumry, Patricium Hamiltoun de eodem, Patricium Maxwell de Newwerk, Alexandrum Lyndsay de Basscat, Alexandrum Dunbar de eodem, Johannem Mwr de Caldwell, Jacobum Stewart de Blakhaw, Willelmum Fleming de Barochane, Adam Crauford de Tarrygarrel, Johannem Stewart de Kilmeis, Thomam Knok, Davidem Lyndissay, et Niniarum Merschell: Qui juratj dicunt, quod quondam Mathens Comes de Levenax et Dominus Dernle, pater Johannis Stewart, latoris presentium, obiit vltimo vestitus et sasitus, ut de feodo, ad pacem et fidem supremi domini nostri Regis, in campo bellico nuper in Northummerland commisso, de castro et dominio de Crukisfew cum molendino eiusdem: de palatio et terris de Inchenane, et de terris de Parthekstok, cum earundem pertinentiis, jacentibus infra vicecomitatum de Ranfrew: Et quod dictus Johannes Stewart est verus, legitimus, et propinquior heres eiusdem quondam Mathei, patris sui, de dictis castro, dominio, molendino, palatio et terris prescriptis, cum suis pertinentiis: Et quod est legitime etatis per dispensationem quondam supremi domini nostri Regis, Jacobi Quarti bone memorie, virtute et vigore vnius acti seu statuti per dictum quondam supremum dominum nostrum Regem, ante inchoationem dicti belli: Et quod dicte castrum, dominium, molendinum, palatium et terre prenominate, cum suis pertinentiis, valent nunc per annum in integro quatuor centas libras, et tempore pacis valuerunt centas libras: Et quod dictum castrum de Crukisfew, edificia, ortos, terras dominicales, parcam et clausuram earundem, terras dominicales de Dernle et molendinum earundem, terras de Dormondsyd, Nethertoun et Auld Crukistoun, extendentes annuatim ad viginti libratas terrarum antiqui extentus, jacentes circa dictum castrum: necnon dictum palatium de Inchenane cum parca et ortis eiusdem, terras dominicales de Inchenane, terras de Quhithill, villam de Inchenane, Raschele, Vrichtland, Fluris, Cragtoun et Gerdnerland, cum integra communia earundem, extendentes similiter ad alias vigenti libratas terrarum antiqui extentus, valent nunc per annum ducentas et octoginta mercas: Et quod tenentur in capite de supremo domino nostro Rege, tanquam Senescallo Scotie, ratione albe firme; reddendo annuatim vnum denarium argenti, ad festum Penthecostis, apud dictum castrum, nomine albe firme, si petatur; necnon residuum terrarum prefati dominii de Crukisfew, Inchenane et Parthekstok, cum suis pertinentiis, tenentur in capite de dicto supremo domino nostri Rege, tanquam Senescallo Scotie, ratione warde et reliuii, necnon communem sectam in curia vicecomitis de Rainfrew: Et quod nunc sunt in manibus dicti supremi domini nostri Regis legitime per se ipsum, ob mortem dicti quondam Mathei, qui obiit per spatium quinque ebdomidarum vltimo elapsarum, vel eocirca, in defectu veri heredis hucusque minime prosequentis: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant, vnacum breue regio intus clauso, sub sigillo dicti vicecomitis, presentibus sunt appensa, anno, die, mense et loco prescriptis. Hec est vera copia retornatus Johannis Comitis de Levenax super premissis, remanentis in cancellaria supremi domini nostri Regis; copiata et collationata per me, Magistrum Thomam Bellentyne, Directorem Cancellarie, sub meis signo et subscriptione manualibus.

T. Bellentyne, Director Cancellarie.

SERVICE of Hugh Montgumry, as heir of the deceased Sir John Montgumry of Corscraig, Knight, his father, in the lands of Pottartowne and Dyconisbank, 10th July 1515.

95. HÆC inquisitio facta fuit apud crucem de Penneld, infra vicecomitatum de Ranfrew, coram nobili et potenti domino, Willelmo Domino Sympile, vicecomite eiusdem, decimo die mensis Julii, anno Domini millesimo quingentesimo decimo quinto; per hos probos et fideles viros subscriptos, viz., Jacobum Flemyng de Baruchane, Alexandrum Montgumry de Braidstone, Johannem Byrsbane de Beschoptoun, Archibaldum Craufurd de Thrydpart, Ninianum Merschell de Clochry, Moritium Kyrle de Drummys, Cuthbertum Montgumry, Alexandrum Montgumry, Johannem Knok, Matheum Spreule, Johannem Sympile, Thomam Cochrane, et Henricum Syme: Qui jurati dicunt, quod quondam Johannes Montgumry de Corscraig, miles, pater Hugonis Montgumry, latoris presentium, obiit vltimo vestitus et saisitus, vt de feodo, ad pacem et fidem supremi domini nostri Regis, de terris de Pottartowne et Dyconisbank cum pertinentiis, jacentibus in dominio de Dernely, et infra vicecomitatum de Ranfrew: Et quod dictus Hugo est legittimus et propinquior heres eiusdem quondam Johannis, patris sui, de dictis terris cum pertinentiis: Et quod est legittime etatis: Et quod dicte terre cum pertinentiis valent nunc per annum octo mercis, decem solidis et octo denariis, noui extentus; et tempore pacis valuerunt quinque mercis cum dimedia merca, antiqui extentus: Et quod tenentur in capite de nobili et potenti domino, Johanne Comite de Lenax ac Domino Dernely, tanquam domino superiore earundem, per seruitium albefirme; reddendo vnum denarium vsualis monete Scotie in festo Pentecostes, si petatur tantum: Et quod dicte terre cum pertinentiis nunc existunt in manibus dicti Johannis Comitis de Lenax et Domini Dernely, vt in manibus domini superioris earundem, per decessum dicti quondam Johannis Montgumry, a decessu ipsius Johannis, pro spatium vnius anni et nouem mensium cum dimedio mense, vel eocirca: et hoc ob defectum prefati Hugonis, veri heredis, jus suum hucvsque non prosequentis. In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant appensa sunt, et sigillo dicti vicecomitis intercluso.

TACK by King James V., with consent of the Regent Albany, to Hugh first Earl of Eglingtoun, of the lordship of Stewartoun, 12th October 1515.

96. JAMES be the grace of God King of Scottis, To all and sindry our liegis and subditis quham it efferis, quhais knaulege thir our letteris salcum, Greting: Wit ze ws, with auise and consent of our derrest cousing and tutour, Johnne Duke of Albany, etc., protectour and governour of oure realme, to haue sett and for male lettin, and be thir presentis settis and for male lettis, to oure louit cousing and counsalour, Hew Erle of Eglingtoun, and his assignais, ane or maa, all and hale our landis and lordschip of the Stewartoun, the myllis of the samyn, and thar pertinentis, liand in our bailliery of Cunynghame and within our schirefdome of Are, for all the dayis and termes to

ryn quhill our lauchfull age of xv zeris; the entre of our said cousing and his assignais to the tak and assedatioun of our saidis landis and lordschip to begyn the day of the date hereof, and thareftir to indure quhill our lauchfull age foresaid, with all and sindry commoditeis, fredomes, proffittis, esementis, and richtuis pertinentis quhatsumever pertenyng or richtuislie may pertene tharto; and with power to mak subtennentis vnder thame in the saidis landis, and to remove, input, and output the samyn as thai sal think maist expedient, during the said space; oure said cousing, and his assignais or subtenentis, payand tharfor zerlie, during the space forsaid, to ws, our comptrollar, or ressauouris being for the tyme, all males, fermes, and dewiteis aucht and wont to ws of the saidis landis and lordschip, eftir the tennour of our rentale chalmerlanery: Attour, with auise and consent of our said derrest cousing and tutour, we haue maid, constitute and ordanit, and be thir presentis makis, constitutis and ordanis our said cousing, Hew Erle of Eglintoun, and his assignais, our baillies of our saidis landis and lordschip, with the myllis and pertinentis thairof, during the said space . . . Quharefor we charge stratlie and commandis zow, all and sindry our liegis and subditis foresaidis, that nane of zow tak apoun hand to mak ony impediment, lett, or distrublance, to our said cousing, or his assignais, in the peceable brouking, joising, lauboring and manuring of our landis and lordschip forsaid, with the myllis and thar pertinentis; and als that ze and ilkane of zow reddelie intend, ansuer and obey to him, his assignais and officiaris, in all and sindry thingis concernyng the said office, during the tyme abone writin, eftir the tennour of thir our letteris, vnder all pane and charge that efter may follow: Gevin vnder our priue sele at Edinburgh, the xii day of October, the zer of God I^{M} V^{c} and xv zeris, and of our regnne the thrid zere.

Per signaturam manu domini gubernatoris subscriptam.

CONFIRMATION by King James V. of a gift of various wards by Hugh Earl of Eglingtoune to his daughters, 22nd October 1515.

97. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos, cum avisamento, consensu et assensu carissimi consanguinei et tutoris nostri, Johannis Ducis Albanie, regni nostri protectoris et gubernatoris, approbasse, ratificasse, necnon tenore presencium, pro nobis et successoribus nostris, pro perpetuo confirmasse literas, donaciones et assignaciones in eisdem contentas, factas per dilectum consanguineum nostrum, Hugonem Comitem de Eglingtoune, Dominum Montgomery, filiabus suis subscriptis, de wardis et maritagiis subsequentibus, in supportacionem ipsarum ad maritagia sua, si non prouiserit eis de maritagiis in tempore suo, videlicet; donacionem factam per consanguineum nostrum predictum, Isobelle Montgomery, filie sue, de warda et maritagio Roberti Montgomery, filii et heredis quondam Patricii Montgomery de Gyffyn, et deficiente dicto Roberto per mortem ipsius non maritati, de maritagio alicuius alterius heredis vel heredum dicti quondam Patricii, quem vel quos sibi in hereditate sua succedere contigerit, tenta de dicto consanguineo nostro; ac

donacionem per ipsum factam Katherine Montgomery, filie sue, de warda et maritagio Georgei Montgomery, filii et heredis quondam Cuthberti Montgomery de Skelmorelie, et deficiente dicto Georgeo per mortem ipsius non maritati, de maritagio alicuius alterius heredis vel heredum dicti quondam Cuthberti, quem vel quos sibi succedere contigerit in hereditate sua, de dicto consanguineo nostro similiter tenta; et assignacionem per ipsum factam eidem Katherine, filie sue, de warda et maritagio Alexandri Fergushill, filii et heredis quondam Thome Fergushill, et Roberti Fergushill de eodem; et si contigerit dictum Alexandrum non maritatum in fata decedere, de maritagio alicuius alterius heredis vel heredum dictorum quondam Thome et Roberti, quem vel quos eis in hereditate sua succedere contigerit; necnon donacionem factam per dictum consanguineum nostrum Jonete Montgomery, filie sue legittime, de warda et maritagio Johannis Ker, filii et heredis quondam Roberti Ker de Kerrisland; et si contigerit dictum Johannem non maritatum in fata decedere, de maritagio alicuius heredis masculi vel heredum masculorum dicti quondam Roberti, quem vel quos sibi in hereditate sua succedere contigerit; ac assignacionem factam per dictum consanguineum nostrum Jonete Montgomery, bastarde filie sue naturali, de warda et maritagio heredis vel heredum de Kellie: Quequidem warde dictarum terrarum de Gyffyn, Skelmorlie et Kerrisland, ac maritagia heredum earundem, pertinent dicto consanguineo nostro tanquam Domino suo superiori earundem terrarum, immediate ratione warde; ac warde dictarum terrarum de Fergushill et Kellie et maritagia heredum earundem pertinent dicto consanguineo nostro ratione donacionis sibi et assignatis suis, per quondam nobilissimum patrem nostrum, cuius anime propicietur Deus, confecte per literas suas sub suo secreto sigillo, prout in eisdem, necnon in literis donacionis et assignacionis per dictum consanguineum nostrum prefatis filiabus suis de suprascriptis wardis et maritagiis, perfectis, plenius continetur: Insuper, si contigerit prefatas terras et dominia de Gyffyn, Skelmorelie, et Kerrisland, nunc de prefato consanguineo nostro tentas, et maritagia dictorum heredum earundem, ad manus nostras vel successorum nostrorum deuenire, racione warde siue non introitus, per mortem dicti consanguinei nostri, tenentis nostri earundem immediate, (quod absit), nos, cum avisamento, consensu et assensu prefati carissimi consanguinei et tutoris nostri, pro bono, gratuito et fideli seruicio nobis per dictum Hugonem Comitem de Eglingtoune impenso, ac pro fauoribus quos erga ipsum gerimus, damus, concedimus et assignamus, nunc prout extunc et econuerso, pro nobis et successoribus nostris, dictis Isobelle, Katherine, et Jonete, in supportacionem ipsarum ad maritagia sua, wardas, releuia, et nonintroitus dictarum terrarum et dominiorum de Gyffyn, Skelmorelie et Kerrisland, cum pertinenciis, ac maritagia heredum earundem, videlicet, dicte Isobelle, maritagium heredis vel heredum dicti quondam Patricii Montgomery, ac wardam, reliuium et non introitum omnium terrarum suarum et annuorum reddituum, per ipsum de dicto Comite tentarum; et dicte Katherine Montgomery, maritagium heredis vel heredum dicti quondam Cuthberti Montgomery de Skelmorlie, ac wardam, releuium et nonintroitus omnium terrarum suarum et annuorum reddituum de dicto Comite tentarum; et dicte Jonete Montgomery, filie legittime dicti Comitis, maritagium heredis vel heredum dicti quondam Roberti Ker, ac wardam, releuium et nonintroitus omnium terrarum

et hereditatum suarum de dicto Comite tentarum; cum omnibus firmis et proficuis dictarum terrarum et maritagiorum predictorum, cum potestate dictis Isobelle, Katherine et Jonete, de dictis maritagiis, wardis, releuiis, et nonintroitibus libere disponendi, prout eis magis videbitur expediens, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine reuocacione, contradictione aut obstaculo aliquali: In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus, apud Edinburgh, vicesimo secundo die mensis Octobris, anno Domini millesimo quingentesimo decimo quinto, et regni nostri tercio.

GRANT by King James V. to Hugh Earl of Eglintoun, of the office of Fiar of the Isle of Litill Comeray, 28th October 1515.

98. JAMES be the grace of God King of Scottis, To all and sindry oure liegis and subditis quham it efferis, quhais knawlege thir our letteris salcum, Greting: Wit ze that forsamekle as we and our derrest cousing and tutour, Johne Duke of Albany, etc., protectour and governour of oure realme, ar sikerlie aduertist that the ile of Litill Comeray, liand within oure baillery of Cunynghame and schirefdome of Are, is waistit and distroyit be diuers personis, that slais the dere and cunyngis thairof, and pasturis bestis thairintill maisterfullye be way of dede, without licence, tollerance, or consent of Robert Huntare of Huntarestoun, forestar of heretage of the said ile; the quhilk personis the said Robert may nocht resist, becaus he is nocht of substance nor power, without supple and help: Tharefor we, with avise and consent of our said tutour and governour, for reformacioun, gud reule, and saufte of the said ile in tyme cummyng, hes maid, constitut, and ordanit, and be thir our letteris, makis, constitutis, and ordanis our louit cousing and counsalour, Hew Erle ef Eglingtoun, and his assignais, ane or maa, oure fearis, correkaris, and supplearis of oure said ile of Litill Comeray, ay and quhill owre lauchfull aige of fiftene zeris: Gevand and grantand to the said Hew and his assignais forsaidis, full and fre powar, all the personis occupyand, waistand, and distroyand the said ile, the wild bestis and grund of the samin, to correk, pvnis, and resist, and thare gudis being thairintill, be way of masterschip to eschete; and als we will and ordanis, gif the said Robert Huntare of Huntarestoun haldis or imputtis nolt, cattall, and vtheris gudis, for the waisting and distroying of the said ile, dere and cunyngis being thairin, mair than his charter proportis, it salbe leiffull to our said cousing till eschete the samin to his avne vse; and inlikwis, all vtheris gudis that he or his saidis assignais findis thairintill for the distructioun and hurting of the samin during the tyme forsaid: And als ane or ma persoun or personis to be our feare, kepare, suppleare, and correkare of the said ile, dere and cunyngis thairof, to deput and substitut for all the said tyme; for the quhilkis thai salbe haldin to ansuer . . . Gevin vnder our priue sele at Edinburgh, the xxviii day of October, the zere of God I^{m} V^{c} xv zere, and of our regnne the thrid zere.

Per signaturam manu dicti domini gubernatoris subscriptam.

OBLIGATION by Colin Earl of Ergile to Ellen Countess of Eglinton, his aunt, 18th December 1515.

99. WE, Colyn, Erle of Ergile, granttis ws till haif borowit fra our ant, Elyn Countas of Eglintoun, ane chenze of gold, contenit fif wnice and half wnce, and contenit in leinkis thre scor and xii leinkis; and ane siluer pece contenand sevin wnce and thre quartaris of ane wnce; to lay in wed in our mister: The quhilk pece and chenze we bynd and obleiss ws, our ayris, executouris, and assignas, to delyuer to the said Countas, or hir ayris, executouris, or assignais, betuixt the dait of this writ and the feist of Fasternis Evin thairefter, fre, bowt ony cleym: In witnes of the quhilk we haif subscribit this writ wyth our hand at Edinburgh, the xviii day of December, anno quingentesimo xv°

C. ERL OF ERGYL.

NOTARIAL INSTRUMENT for Hugh first Earl of Eglintoune, in the submission between him and John Earl of Levinax, and Cuthbert Earl of Glencarne, etc., 3rd May 1516.

100. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo decimo sexto, mensis vero Maii die tercio, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape decimi, anno quarto: In mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis et potens dominus, Hugo Comes de Eglintoune, Dominus Montgumery, etc., postquam compromissum arbitrale inter nobiles et potentes dominos, Johannem Comitem de Levinax, Cuthbertum Comitem de Glencarne, Wilelmum eius filium et apparentem heredem, et ipsum Dominum Hugonem, Comitem, et Johannem eius filium et apparentem heredem, hinc inde et respectiue, de eorundem consensu, ad vicesimum diem mensis instantis Maii, continuatum fuerat in presenciis eorundem; solenniter protestabatur, prout protestatur, quod consentit dicte continuacioni, ista condicione adiecta, et alias non; videlicet, quod quilibet dictorum dominorum comitum diuisim, pro suis negociis, actionibus, et querelis, habeat tres solum arbitratores in hunc modum, videlicet, tres pro domino Comite de Levinax, contra ipsum dominum de Eglintoune, et eius tres arbitratores, qui eorum decretum et deliberacionem inter ipsos duos dominos promulgabunt et deliberabunt; et in euentum discordie ad superiorem in dicto compromisso contentum aggredientur et recursum habeant: et similiter ipsi tres ex parte prefati domini Comitis de Glencarn electi, cum dictis tribus ex parte dicti domini Eglintoune Comitis electis deliberabunt inter ipsos dominos de Glencarne et Eglintoun; et in euentum discordie vt premittitur, recursum dicto superiori et aggressum habebunt: alias dicto compromisso et continuacioni eiusdem minime consentire et parere se velle declarauit: Super quibus omnibus et singulis prefatus Hugo Comes de Eglintoune a me notario publico subscripto sibi fieri petiit presens publicum instrumentum, seu publica instrumenta: Acta erant hec infra ciuitatem Glasguensem,

in palacio reuerendissimi in Christo patris et domini, domini Jacobi, miseracione diuina Glasguensis Archiepiscopi, regni Scocie Cancellarii, etc., hora secunda post meridiem vel eocirca, sub anno, mense, die, indictione et pontificatu prescriptis: Presentibus ibidem venerabilibus viris, Magistris Roberto Maxwell, Canonico Glasguensi, Johanne Boiswell, Rectore de Kirkgunzeane, Roberto Coluile de Ravinniscrag, Jacobo Kennedy et Domino Johanne Blair, capellano, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Archibaldus Layng, artium magister, presbyter Sanctiandree diocesis, publicus sacra auctoritate apostolica notarius, Quia premissis, etc.

A. L.

GRANT by King James V. with consent of the Regent Albany, to Hugh first Earl of Eglintoune, of the office of Justiciary within the Bailiery of Cuninghame, May 1517.

101. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quia nos, ex auisamento nostri carissimi consanguinei et tutoris, Johannis Ducis Albanie, etc., regni nostri protectoris et gubernatoris, fecimus, constituimus et ordinauimus, ac tenore presencium facimus, constituimus et ordinamus dilectum consanguineum et consiliarium nostrum, Hugonem Comitem de Eglintoune, Justiciarium nostrum in hac parte infra balliatum nostrum de Cunynghame, tam in burgo quam terris eiusdem balliatus, et ad infrascripta dumtaxat, viz., ad scrutandum, apprehendendum, capiendum, conuocandum et iustificandum fures, raptores, homicidas et omnes alios transgressores infra dictas bondas; dantes et concedentes dicto nostro iusticiario in hac parte nostram plenariam potestatem et mandatum speciale, curiam seu curias iusticiarie infra bondas sui officii balliatus, super omnibus actionibus criminum, statuendi, inchoandi, tenendi, affirmandi et quociens opus fuerit, continuandi; sectas vocandi et convocari faciendi; assisas proborum et fidedignorum virorum patrie qui dictorum furum, raptorum, homicidarum et transgressorum demerita melius cognouerint, eligendi et iurari faciendi; necnon ministros curie necessarios creandi, ordinandi et jurari faciendi; et dictos fures, raptores, homicidas et omnes alios transgressores, juxta quantitatem eorum delictorum, puniendi; et generaliter omnia alia et singula, per se aut suos deputatos, faciendi, gerendi et exercendi, que ad officium Justiciarii in hac parte circa premissa dinoscuntur pertinere: Ratum et gratum habentes et habituri totum et quicquid dictus noster iusticiarius in hac parte suive deputati, ministri et officiarii in premissis rite duxerit seu duxerint faciendum: Prouiso quod dictus noster consanguineus itinera nostre iusticiarie medio tempore non teneat: Presentibus pro absencia dicti nostri carissimi consanguinei et tutoris de nostro regno vsque ipsius redditum in eodem, vel ad suam voluntatem et placenciam in suo robore duraturis: Datum sub testimonio magni sigilli nostri, apud Glasgw, die mensis Maii, anno Domini millesimo quingentesimo decimo septimo, et regni nostri quarto.

Per signaturam manu dicti domini gubernatoris subscriptam.

INSTRUMENT of REQUISITION by Hugh first Earl of Eglynetoune and John Montgummery, his son and apparent heir, to Cuthbert Earl of Glencarne, 27th May 1517.

102. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnationis Dominice millesimo quingentesimo decimo septimo, mensis vero Maii die vicesimo septimo, Indictione quinta, Pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidentia pape decimi, anno quinto, et regni excellentissimi domini nostri, domini Jacobi quinti, Dei gratia Scotorum Regis illustrissimi, anno quarto: In mei notarii publici et testium subscriptorum presentia personaliter accessit prouidus vir, Robertus Montgummery, actornatus et eo nomine nobilis domini, Hugonis Comitis de Eglynetoune, Domini Montgummery, etc., ac etiam Johannis Montgummery, filii et apparentis heredis dicti domini Comitis, ad presentiam nobilis domini, Cuthberti Comitis de Glencarne ac Domini de Kilmawaris, etc., existentis in hospitio reuerendissimi in Christo patris, Jacobi Archiepiscopi Glasguensis, regni Scotie Cancellarii; et ibidem dictus Robertus Montgummery, actornatus et eo nomine quo supra, requisiuit et premeniuit dictum Cuthbertum Comitem de Glenecarne pro se, et tanquam procuratorem et eo nomine nobilis viri, Magistri Willelmi Cunygham, sui filii et apparentis heredis dominii de Glencarne et Killmawaris, vt asseruit, ad perimplendum quendam contractum deliberatum et sententiatum per excellentissimum principem ac dominum nostrum gubernatorem, Johannem Dei gracia Ducem Albanie, S. D. N. Regis tutorem, penes infeodationem dicti domini Comitis de Eglintovne et sepedicti Johanni Montgummery, sui filii, hereditarie, in certis terris contentis in dicto contractu; et ad perimplendum omnia in dicto contractu, secundum formam et tenorem eiusdem; et hoc sine dilatione aut impedimento: Super quibus omnibus et singulis sepedictus Robertus, actornatus et eo nomine dicti domini Comitis de Eglintoune, et Johannis Montgummery, sui filii, a me notario publico subscripto, sibi fieri petiit hoc presens publicum instrumentum seu publica instrumenta, publicum seu publica, vnum seu plura: Acta erant hec in hospitio dicti reuerendissimi in Christo patris, cituato infra burgum de Edinburgh, in vico fratrum predicatorum, hora quasi duodecima in meridie, vel eocirca, sub anno, mense, die, indictione, pontificatu, et regni supremi domini nostri regis quibus supra: Presentibus ibidem nobilibus et potentibus dominis, viz., dicto reuerendissimo in Christo patre, Archibaldo Comite Angusie, Domino Douglas, Georgeo Domino Sancti Johannis, Johanne Ramsay de Dallhoussy, Thoma Hume de Colbrandpeth, milite, Magistro Jacobo Fogo, et Domino Roberto Muntgummery, capellano, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Franciscus Inchecok, clericus Sanctiandree diocesis, publicus auctoritatibus Imperiali et Regali notarius, Quia, etc.

FRANCISCUS INCHECOK.

INSTRUMENT of RESIGNATION by Thomas Hume of Langschaw, of the lands of Two Golobaries, in the hands of James Archbishop of Glasgow, Chancellor, and one of the Regents of the kingdom, 24th April 1518.

103. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo decimo octauo, indictione sexta, mensis vero Aprilis die vicesimo quarto, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape decimi, anno sexto: In mei notarii publici et testium subscriptorum presencia personaliter accessit honorabilis vir, Johannes Mongumry, procurator et eo nomine Thome Hume de Langschaw, militis, de cuius procuracionis mandato, michi notario publico subscripto dilucide constabat, per dicti Thome procuratorium, sub ipsius armorum sigillo, sua vt aparuit subscripcione manuali subscripta, ad presenciam reuerendissimi in Christo patris et domini, Jacobi Glasguensis Archiepiscopi, Commendatarii de Abrothok, Cancellarii supremi domini nostri Regis, ac vnius regni Regencium pro tempore; et ibidem predictus Johannes Montgumry, procuratorio nomine quo supra, in manibus supradicti domini Archiepiscopi et Regentis, totas et integras terras dicti Domini Thome, militis, de duobus Golobariis, extendentes ad quinque mercatas terrarum antiqui extentus cum pertinenciis, jacentes in balliatu de Cvnynghame et infra vicecomitatum de Air, in fauorem nobilis et potentis domini, Hugonis Comitis de Eglingtoune, et Helene Campbell, eius sponse, pro carta et infeodacione eiis fienda, et ipsorum alteri diucius viuenti in coniuncta infeodacione, et heredibus inter ipsos legittime procreatis seu procreandis; quibus deficientibus, heredibus dicti domini Hugonis quibuscunque, secundum formam et effectum dicti procuratorii, per fustem et baculum, vt in talibus fieri consuetum est, sursum reddidit, ac pure et simpliciter resignauit: Super quibus omnibus et singulis premissis, prefatus dominus Hugo, Comes, et Helena, eius sponsa, a me notario publico subscripto, sibi fieri petierunt hoc presens publicum instrumentum, seu plura publica instrumenta: Acta erant hec in camera interiori antedicti reuerendissimi patris, in hospicio suo de Edinburgh, hora septima, vel eo circa, ante merediem, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem venerabilibus et circumspectis viris, Domino Roberto Wemys, Magistro Johanne Boiswell et Jacobo Mongumry, testibus ad premissa vocatis specialiter et rogatis.

Et ego Henricus Spital, Cesarei juris vtcunque licenciatus, Sanctiandree diocesis clericus, publicus sacra apostolica autoritate notarius: Quia, etc.

HENRICUS SPITALL, notarius publicus.

INDENTURE between John Earl Lenax and Hugh Earl of Eglingtone, for the marriage of Mathew, eldest son of the former, with Christian Montgomery, eldest daughter of John Master of Eglingtone, 16th February 1519.

104. THIR endentoris maid at Glasgow, the saxtene day of Februar, the zer of God I^{m} V^{c} and nyne-

tene zeris, proportis and beris witnes that it is appunctuat, commonit, concordit, and finali endit betuex noble and mychty lordis, that is to say, Jhone Erll Lenax and Lord Darnlye, apone the tane part, and Hew Erle of Eglingtone, Lord Montgomery, apone the todir part, in maner, forme, and affect as eftir followis; that is to saye, that Mathew, sone and apperand air to the said Johne, Erle of Lenax, sal, Goduilling, mary and haiff to wiff Cristiane Montgomery, eldest dochtir till Johne, Maistir of Eglingtone, alssone as thai may lauchfully complet the mareage in the face of haly kyrk; and failzeing of the said Mathew, the eldest sone and apperand air of the said Johnis Erle of Lenax sal complet mareage with the said Cristane Montgomery; and falzeing of hir the nixt eldest dochtir, and safurth ay and quhill the said John Erle of Lenax has ane sone beand air till hyme, and the said Johne Maister of Eglingtone haue ane lauchfull dochtir: And for the completing and fulfilling of the said mareage, the said Hew Erle of Eglingtone sal content and paye to the redemen and lousing of the said Johne Erle of Lenax landis, the sowme of tua thoussand mercis wsuale monye of the realme, in this maner, and at thir termis as eftir folowis; that is to say, ane thousand mercis betuix and the fest of Vitsunda nixt eftir the dat of this writ, and the todir thoussand merkis, the remanent of the said sovme, to be payit viii dayis befor the nixt terme of Vitsunday thereftir, in complet pament of the said tua thousand mercis; the quhilk tua thousand mercis is gevin for the redemen and lousing of certane landis pertenen to the said Johne Erle of Lenax, quhilkis landis the said Hew Erle of Eglingtone sal be infeft heretabilly be stat and sesing, vnder ane reuersione in securite of the said mareage, quhill the barnis be of lauchfull agis to complet the samyn; and giff the said Erle of Eglingtone desiris the saidis landis to be resignit in the kingis handis, or ony oderis hafing power to resaiff resignationis for the time, the said Johne Erle of Lenax bindis and oblesis hyme therto, he hafand ane lettir of regress to the saidis landis quhen the said mareage is completit; the said Erle of Lenax broakand the profet of the saidis landis all and haill, except tuenty lib. of monye, and that to be gevin for the sustentatione of the said Mathew, sone and air to the said Johne Erle of Lenax, quhilk son and air sal be deliuerit to the said Hew Erle of Eglingtone in nuresene and kepen, and to remane wyth hyme quhill he be of lauchfull age to marye: And giff it hapynnis, as God forbeid it do, that the said Mathew happin to discess, and that the said Johne Erle of Lenax hafe nane oderis sonnis, and that the said Johne Maister of Eglingtone haiff nane oderis dochtirris, or zit be discessent of the said Johne Erl of Lenax, the said Mathew his sone, or ony oderis his sone beand air, quharthrow the mareage falzeis, as is forsaid, the forsaid landis shall remane with the said Hew Erle of Eglingtone, or his airis, and the profettis of the samyn, ay and quhill the said sowme of tua thousand mercis be fullely complet payit one ane day, to the said Erle of Eglingtone, or his airis, be the said Johne Erle of Lenax, or his airis: Or giff it hapynis the mareage of the said John Erle of Lenax airis to fall in the Kingis hand, sua that thai may nocht complet the samyn eftir the forme of this contract, than the said landis and profet of the samyn to remane with the said Hew Erle of Eglingtone, or his airis, quhill the foresaid sovme of tua thousand mercis be com-

pletly payit as is abone writtin, apone ane day; or thane the mareage completit eftir the forme of this contract: Item, the said Johne Erle of Lenax grantis hyme to giff to the said Mathew and Cristane, dochtir to the said Johne Maister of Eglingtone, siclik landis in coniunctfeftment as wmquhill Mathew Erle of Lenax, quhame God assolze, gaiff to Johne his sone that now is or till ony oderis sone of his, or dochtirris of the said Johne, completaris of the said mareage in the sickirest wiss that ony coniuntfee vsis to be gevin, but inconuenient: And attour, thar sal be maid ane afauld band of kyndnes betuex the said Johne Erle of Lenax and Hew Erle of Eglingtone, in the sykkirest forme that cane be deuisit, for thar kyne, men, frendis, seruandis, that ilkane of thaim sal tak oderis partis in all questionis, causis, and quarellis, movit or to be movit, lefull and honest, our Souerane Lord the King, and my Lord Gouernor, my Lord of Glasgev, for my Lord Lenax part, becauss he is ballie, to be exceppt, my Lord Arrane, and the Abbot of Kylvynyng, for my Lord Eglingtovnis part, becauss he is ballie, to be excepit in thir bandis alanerly, and nane oderis; and this band tyll indur for al the dayis of the saidis Johnis and Hewis lyftyme: And giff it hapynis, as God forbeid it do, the said Johne Erl of Lenax to brek to my Lord of Eglingtone, and in speciale in taking part with Cutbert Erle of Glencarne, or with William Maistir, his sone, aganis the said Hew Erle of Eglingtone, or Johne Maister his sone; in that caiss it sal be lefull to the said Hew Erle of Eglingtone, or [his airis, to] intromet and frely dispone apone the foresaid redemit landis and profeitts of the samyn, the brek beand knawin to ane venerable fader in God, Robert be the permissione of God Abbot of Pasleto, and Maister Johne Campbell of Thorntone, thresaurar till our Souerane Lord; quhilkis tua, with ane consent and assent of bayth the saidis parteis, ar equaly chosing in this caiss, ay and quhill the said brek beand mendit and redressit be the said jugis sychtis, or ellis to the perfit age of the said Johne Erle of Lenax air to be mareit; and giff ony of the saidis tua jugis hapynis to disces, ane odir to be equaly chosin in his or tharis steid, that luffis bayth the saidis erlis welis and honvris wnsuspect, quhilk sal be juge in the premissis, as said is: And attour, the said Johne Erl of Lenax sal discharge hyme of Cutbert Erl Glencarne, and Williame his sone, Maister of Glencarn, within ane menet nixt eftir the dat of this writ, and sonar giff he may with his honour: Item, anentis the lard of Blayr, the contract to be maid and aggret betuix my lord Eglingtone and his sone, and the said lard of Blayr and his sone, to be obseruit and kepit in al punctis, eftir the forme of the said contract: And bayth the saidis parteis ar bundin, oblest and suorn, that nane of thame sal tak oderis rowmes, steddis, nor takkis; and gif it hapynis thame to do, thai sal stand and amend at the jugis forsadis deliuerance: And for the obseruen, kepen, and fulfilling of this contract and endentor, athiris of the saidis lordis ar oblest and suorne; and for mayr securite hes subscribit and selit interchangebilly this present contract, zir, day, and place forsaid, befor thir vitnes, Schir Gavane Kennyde of Blarquhane, knycht, Master Johne Campbell of Thorntone, tresoraur, Patrik Houston of that ilk, Allane Stevard of Cardonald, Maister Robert Maxvell of Tarbolton and James Wallace of Crago, with oderis diuers.

Erl of Eglinton.

DISCHARGE by John Earl of Lenax to Hew first Earl of Eglingtone, 18th March 1520.

105. BE it kend tyll all men be thir present letteris, me, Jhone Erle of Lenax and Lord Darnlye, to haue tane and resauit fra ane noble and mychty lord, Hew Erle of Eglingtone, the sovme of tuenti hundretht mercis, guid and vsuale mony of Scotland, pait to me, befoirhand promittit to me be the said Hew Erle of Eglingtone, for the matrimoni to be contractit betuix my sone and air apperand, and the dochtyr of ane noble mane, Jhone Maistir of Eglingtone, of the terme of Witsunday, in the zeir of God ane thousand fife hundretht and tuenti ane zeris nixt to cum; lik as is contenit in the letteris of contract and obligationis maid betuix the said Hew Erle of Eglingtone and me thairapon: Nochtwithstanding of the said sovme of tuenty hundretht mercis the said Hew Erle of Eglingtone hes deliuerit for the relaxatione and redemptione of my landis of Galstone and Torboltone, my irreuocable cessionar and assigna, the sovme of ane levin hundretht mercis, four skoyr of mercis, and threttene mercis, gud and vsuale monye of Scotland; and the remanent of the said tuenti hundretht merkis I grant me, myne seruandis and factouris, to hafe resauit tyll my avne vtilite and profet, and to the vtilite and profet of myne airis; and quitclamis, exoneris, dischargis, and assoilzeis the ponct of the compromis quhair it sayis that the said sovme sald hafe redemit and lousit certane oderis myne landis, for me, myne airis, executouris and assignais, the said Hew, his airis, executouris and assignais, of the said ponct as of the principale sovme: Off the quhilk sovme of tuenty hundretht mercis forsaid, I the said Johne Erle of Lenax, haldis me weile content, assythit, and payit, in nomerit monye, and dischargis, quitclamis and perpetualy exoneris the said Hew Erle of Eglingtone, his airis, executouris and assignais, of the said sovme, for me, my airis, executouris and assignais, for now and evir: Renunciand be thir presentis al exceptionis of law, ciuel or canone, that may be proponit or allegit in the contrar of thir premissis; and speciale the exceptione of non numerata pecunie, or quhatsumevir exceptione of law, lefull or vnlefull, to be proponit in the contrar of thir premissis: In witnes of this my present quitclame, subscrivit wyth my hand, my avin propyr seyl of armis is to hwng, at Glasgev, the auchtene day of the meneth of Marche, the zeir of God ane thousand fife hundretht and tuenti zeris, befoir thir witnes, Allane Stevard of Craghall, Maistir Mathev Stevard, Vicar of Mayboill, Johnne Stevard of Neilstonsyd, Schir James Knox, Vicar of Crumannak, Villiame Maxvell, and Maistir Nicoll Vthirspoune, Vicar of Strauthawane, wyth vthirris diuers.

JHON ERL OF LENAX.

INSTRUMENT of NOMINATION of Procurators by James Browne, 15th May 1520.

106. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo vigesimo, die vero decima quinta mensis Maii, indictione octaua, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidentia pape decimi, anno octauo: In mei notarii publici et testium infrascriptorum

presentia personaliter constitutus discretus vir, Jacobus Browne, filius et heres quondam Willelmi Browne, sui patris, omnibus melioribus modo, via, forma, jure et causa, quibus melius et efficatius potuit et debuit, pariterque et debet, fecit, constituit, creauit, nominauit et solenniter ordinauit, prout tenore presentis instrumenti facit, constituit, creat, nominat et solenniter ordinat honorabiles viros, Thomam Brovne, suum fratrem germanum, Dominos et Magistros Robertum Galbraitht, Johannem Lethane, Robertum Leslye, Jacobum Foulis, et Jacobum Haliburtone, absentes tanquam presentes, et eorum quemlibet insolidum, coniunctim et diuisim, suos veros, legitimos, et indubitatos procuratores, actores, factores, et negotiorum suorum infrascriptorum gestores et nuncios, speciales et generales; ita tamenque quod specialitas generalitati non deroget nec e contra; et quod non sit melior conditio primitus occupantis, nec deterior subsequentis, sed quod vnus eorum inciperit, alter eorundem id prosequi valeat, mediare, terminare, finire et ad effectum producere: Dansque et concedens prefatus dominus constituens prenominatis suis procuratoribus et eorum cuilibet, coniunctim et diuisim, suam veram, liberam, puram et expressam potestatem ac mandatum speciale, in ipsius domini constituentis nomine et pro eo, quecunque inquisitionis breuia capelle serenissimi domini Regis Scotorum necessaria, super duabus le cotlandis et duodecim fulcis terrarum, et manerio earundem, dicto domino constituenti, vt asseruit, per decessum dicti quondam Willelmi Brovne, sui patris, jure hereditario spectantibus et pertinentibus, jacentibus in villa de Quhitsum, infra vicecomitatum de Berwik, et de Thoma Redpetht in capite tentis, prout in cartis et documentis desuper confectis plenius continetur, impetrandum, et eadem debite executioni demandandum et demandari faciendum, possessionemque et saisinam huiusmodi terrarum cum pertinentiis, petendum, recipiendum, obtinendum, intrandum, apprehendendum, nautiscendum, manutenendum, et defendendum; fructus, redditus, et prouentus, juraque, obuentiones, et emolumenta quecunque dictarum terrarum cum pertinentiis, ac ad easdem spectantibus et spectantia, et ex eisdem quomodolibet peruenientes et peruenientia, ab illorum debitoribus exigendum, recuperandum, recipiendum, leuandum et conseruandum; et quatenus eisdem procuratoribus, seu eorum alteri, visum fuerit expedire easdem terras cum pertinentiis, et illarum fructus et emolumenta ad annuum censum locandum, assedandum, arrendandum, dandumque et concedendum; deque preceptis fructibus et emolumentis quittandum et quittantias dandum, ac pactum de vlterius rem habitam non petendo faciendum: Et generaliter omnia alia et singula facienda, dicenda, gerenda, et exercenda, que in premissis et circa ea necessaria fuerint seu etiam oportuna, et que ipsemet dominus constituens faceret et facere posset si premissis omnibus et singulis presens et personaliter interesset: Etiam si talia sint que mandatum magis exigant speciale quam presentibus est expressum, promittens insuper, idem dominus constituens michi notario publico infrascripto, sibi et legittime stipulans se ratum, gratum, atque firmum perpetuum habiturum totum id et quicquid dicti sui procuratores, seu eorum alter, coniunctim vel diuisim, in premissis seu eorum aliquo duxerint faciendum, sub ypotheca et obligatione omnium et singulorum bonorum suorum, mobilium et immobilium, presentium et futurorum. De et super quibus omnibus et singulis premissis, prefatus Jacobus, constituens, a me notario publico sub-

scripto, sibi fieri petiit vnum seu plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec Rome, apud ecclesiam Beati Jheronimi, in regione Arenule, sub anno, die, mense, indictione, et pontificatu quibus supra: Presentibus ibidem reuerendissimo domino, Magistro Johanne Sanchar, prothonotario apostolico, Cancellario Rossensi, Adam Symsoun, Canonico Dunblanensi, et Alexandro Cars, laico Sanctiandree diocesis, testibus ad premissa vocatis pariterque rogatis.

Et ego Johannes Lauder, artium magister, clericus Sanctiandree diocesis, publicus sacris apostolica et imperiali auctoritatibus notarius, ac in officio scriptorum archiuii Romane curie matriculatus et descriptus, Quia dictorum procuratorum constitutioni, creationi nominationi, potestatisque dationi, ratihibitioni, et promissioni, ceterisque premissis omnibus et singulis, dum sic vt premittitur, dicerentur, agerentur et fierent, vnacum prenominatis testibus presens personaliter interfui; eaque omnia et singula sic fieri, vidi, sciui et audiui, ac in notam cepi; ideoque hoc presens publicum instrumentum, manu mea fideliter scriptum, exinde confeci, subscripsi, et publicaui, signoque et nomine meis solitis et consuetis signaui, rogatus et requisitus, in fidem et testimonium veritatis omnium et singulorum premissorum.

JOHANNES LAUDER, notarius publicus.

DISCHARGE by Hugh Mungumry of Heslet and Corscraige, to John Maxvel of Pollok, 27th November 1521.

107. BE it kend til al men be this present writ, me Hew Mungumry of Heslet and Corscraige, sone and air to wmquhile Schir Jhone of Mungumry, quhom God assoilze, of Heslet and Corscraige, knycht; that for sa mekile as the said Schir Jhone hed in wodset of anuele rent of wmquhile Jhone Maxwel of Neddirpook, with claus of warrendis fra wardeyne, twelf bollis of bair, and twelf bollis of meile, of the landis of Pollokschawys, be chartur and sasyne, wnder reuersionis; nochtwithstandyne the saidis twelf bollis of bair and twelf bollis of meile hes beyne in ward ay sene the deces of wmquhile Schir Jhone of Maxwel of Nedderpolok, knycht; and I the said Hew, air to the said Schir Jhone Mungumry, hes gottyne na payment of the twelf bollis of bair and twelf bollis of meile, nochtwithstandyne my claus of warrendis, sen the deces of the said Schir Jhone Maxvel: Nevertheles I wil and grantis, and discharges be this present writ, al bair and meil bygayne to this present hour, to ane honorabil man, and my neyr cousyng, Jhone Maxvell, now Lard of Pollok; and that for kyndnes and tendernes of blud, and alia, frenchschep and staid, and be caus the said Jhone sal entyr me in tymys cummyne to the said twelf bolles of meil and twelf of bair of anuel rent of Pollokschawys, ay and quhile the sowmys be pait contenyt in the reuersione to be takin wp be me as said is. For the quhilkis causys abuf wrytyne, I discharge the said Jhone now Lard of Neddirpollok, and all otherys his airis, executoris, and assignayis, of all by rwyne bair and meile, for me, my airis,

executoris, and assignayis, for now and euer. In witnes of this my discharge I haf set to my seil, and subscriuit the sammyne with my hand, at Glasgw, the tuenty sewin day of Nouember, the zeir of God a thousand fif hunder tuenty ane zeir, befor thir witnes, Schir Robert Mailuile, George Stewart, Schir Rischart Myller, Jhone Coychcren, Hary Reilstoune, and Allane Haw, with other diuers.

HEW MUNTGOMERIE of Croscrage, with my hand.

CONTRACT for the marriage of Henry Mungumry, 'oo' and air of Rankin Mungumry of Scottistone, and Effame Maxvell, daughter of the Laird of Tynwald, 9th October 1522.

108. AT Glasgw, the nynt day of the monecht of October, the zer of God ane thousand fif hundrecht and twa and tuenty zeris: It is appunctit and concordit betuix honorable persons, that is to say, Alane Steward of Craghall, Rankin Mungumry of Scottistone, Katerine Steward, his spous, and Hendre Mungumry, oo and appirand air to the said Rankyne, on the ta pairt, and George Maxvell of Kowglen, and Effame Maxvell, dochter to vmquhill the Lard of Tynwald, on the twder pairt, in forme, maner, and effect as efter folowis; that is to say, the said Hendre sall, God willing, mare and to wif haf the said Effame, in all gudly hast; and the said Rankyne, with consent and assent of the said Katerine Steward, his spous, bindis and oblisis him to infeft, in continent efter the contraking of the said marage, the saidis Henry and Effame in ten merkis of anuell rent, to be tayne zerly of the saidis landis of Scottistone; Als the said Rankyne, with consent of his said spous, Katerine Steward, bindis and oblisis him in all tyme cuming, that he sall nocht anale, sell, na away put nane of his saidis landis in preiudice of the saidis Henry and Effame; and bindis and oblisis him to cum, at the will of the saidis Alane and George, befor my Lord of Levinax, his ourlord, and thair suspend him self and his spous forsaid fra all alienatioun of the saidis landis of Scottistone; and the saidis Rankyne and Katrine sall deliuer to the saidis Henre and Effame the reuersione of the saidis ten merkis of anuell rent in continent: In witnes of the quhilk thing athir of the saidis parteis hes subscriwit this writ with thair handis, day, zeir, and place forsaid, befor thir witness, George Carlill, Jhon Winzit, burges of Glasgw, Jhon Weir, James Steward, and Master Mathew Steward, notar publik, with otheris diuers.

RANKYNE MUNGUMRY, with my hand on the pen.
KATERINE STEWARD, with my hand on the pen.
HENRY MUNGUMRY, with my hand on the pen.
EFFAME MAXVELL, with my hand on the pen.

DECREET ARBITRAL by John Duke of Albany, Regent of Scotland, and others, betwixt the Earls of Eglintoun and Glencarne, 13th March 1523.

109. AT Edinburgh the xiiii day of Marche, the zeire of God I^{M} V^{c} and xxiii zeris: In presens of the Lordis of Counsale vndirwrittin, that is to say, ane maist reuerend and reuerend faderis in God,

James Archibischop of Sanctandrois, Gawyne Bischop of Abirdene; noble and mychtie Lordis, James Erle of Arane, Colyn Erle of Ergyle, Jhone Erle of Levinax, James Erle of Murray; venerable faderis in God, Alexander Abbot of Cambuskynnet, James Abbot of Dundrennane, Thomas Abbot of Culross, Johnne Lord Flemyng, Jhone Lord Erskin, Jhone Lord Hay of Zestir, Master Robert Forman, Dene of Glasgw, Master Jhone Campbell of Lundy, Thesaurar, Master James Wischart of Pettaro, Justice Clerk, and Maister Adame Ottirburne of Auldhame, comperit Cuthbert Erle of Glencarne and William Maister of Glencarne, for thaim, thair kyn, frendis, men, seruandis and adherentis, on that ane part, and Hew Erle of Eglintoun, Archibald his oy, Maister of Eglintoun, thair kyn, frendis, men, seruandis and adherentis, on that vthir part, and gaif in this decreit arbitrale subscruit be my Lord Gouernour, my Lord Chancelar, my Lord of Abirdene, ouirmen, and be certane vthir jugis chosin be the saidis Erlis, and desirit the samin to be registrat in the bukis of consale, and to haif the strenth, force and effect of the lordis decreit in tyme tocum; the quhilk desire the saidis lordis thocht resonable, and thairfor has ordanit and ordanis the samin to be registrat in the saidis bukis of consale, and to haif the strenth, force and effect of thair decreite in tyme tocum, and ordanis our souerane lordis letteris to be direct to command and charge, compell and distrenze all the saidis partiis for the obseruing, keping, and fulfilling of the samyn in all punctis as efferis. Off the quhilk the tenour followis: At Edinburgh, the xiii day of Marche, the zeir of God I^{M} V^{c} and xxiii zeiris: We, Johnne Duk of Albany, etc., tutour to our souerane lord, protectour and gouernour of his realme, James be mercy of God Archibischop of Sanctandrois, Chancelar, Gawyne Bischop of Abirdene, ourmen chosin in ane voce, togidder with Johne Lindesay of Petcruvy, kyncht, Jhone Striueling of the Keire, knycht, jugis arbitouris, amicable compositouris chosin for the part of Cuthbert Erle of Glencarne and William Master of Glencarne for thame, thair kyne, freyndis, men, seruandis and adherentis, on that ane part, Maister Johnne Campbell, thesaurar to our souerane lord, and Thomas Corry of Kelwood, jugis arbitouris and amicable compositouris chosin for the part of Hew Erle of Eglintoun, Archibald his oy, Master of Eglintoun, thair kyn, frendis, men, seruandis and adherentis, on that vthir part, to decide apoun all slauchteris, herschippis, spulzeis, debatis, questiouns, causis and quarrellis, that athir of the saidis partiis, for tham, thair kyn, frendis, men, seruandis and adherentis, mycht allege or propone aganis vthiris in all tymes bigan; lik as at mair lenth is specifiit in the compromit, bills, clames and petitiouns gevin in be the saidis partiis befor ws: We the forsaidis ourmen and jugis, aggreand in ane voce, with consent of baith the saidis partiis, thair rychtis, resouns, and allegaciouns befor ws herd, sene, and vnderstand, and thairwith being ripely auisit, for gude concord to be had betuix the saidis partiis in all tyme cuming, for the pacifying of the cuntre, and eis of our souerane lordis liegis, havand God befor E, decretis and deliueris as eftir followis: In the first; as tuiching the decrete arbitrale gevin of befor be ws, Johnne Duke of Albany, etc., betuix the saidis partiis, at Edinburgh, the xxii day of May, the zeire of God I^{M} V^{c} and xvii zeris, for clere interpretacioun thairof, becaus the samin was in ane part obscure, we the forsaidis ourmen and jugis, with consent of the saidis partiis, counsalis, ordanis and deliueris, that the saidis Erle

of Glencarne and Maister Glencarne, his sone, sall gif and caus to be had to the said Erle and Master of Eglintoun, his oy, thair airis and assignais, the mariage of the eldest sone and air of the said Master of Glencarne that sall apperandly succeid to his heretage, to be mariit with the said Maister of Eglintouns sister, gif the contract of mariage be thot expedient be the said Erle of Eglintoun to be dissoluit at the handis of my Lord of Levinax; and failzeing thairof, to be mariit with ane vthir kynniswoman of the said Erle and Maister of Eglintouns, without disparage; quhilk mariage the said Erle and Maister of Glencarne sall caus to be solemnizat in face of halikirk, at the requisicioun of the saidis Erle and Maister of Eglintoun, thair airis or assignais, als sone as the said eldest sone and air of the said Maister of Glencarne, and falzeing of him be deces, he that sall apperandly succeid to thair heretage, beis of perfite age, or witin ane zeir thairefter; quhilkis eldest sone and apperand air or airis forsaidis sall nocht be oblist to abide langer than ane zeir eftir thair perfite age, the saidis Erle of Eglintoun and Master of Eglintoun, thair airis or assignais, being requirit vpoun xl dais to gif to thaim ane ganand mariage as said is: And als we decerne and ordanis that the said Erle and Maister of Glencarne sall gif to the said Erlis oy, or thar apperand air that sall happin to contract the said mariage with the said Erle of Eglintouns oy, or cousinace, witout disparage, and to hir, in coniunct fee or lifrent, ane hundreth pund land that now gevis be zeir i$ li. of pecuniis; or gif it gifis victall to vi s. viii d. the boll of mele; and this infeftment to be maid vpone the expensis of the Erle of Eglintoun and his airis, to be haldin of the King: And for the securite of the said mariage, to be had as said is, the said Erle and Maister of Glencarne sall infeft heretablie the said Erle of Eglintoun, now incontinent, in four score of merkis worth of land, that gifis now be zer lxxx merkis of pecuniis, or that gifis be zer victale extending to lxxx merkis, comptand the boll of victale to vi s. viii d., to be haldin of our souerane lord be charter and confirmatioune, or be resignatioune, at the will and plesour of the said Erle of Eglintoun, vpone the equale expensis of bayth the saidis partiis, with ane lettir of regress and ane reuersioun to be gevin be the said Erle of Eglintoun, his airis and assignais, vndir this forme eftir following; that is to say, gif the said mariage beis contractit and completit in manner forsaid, or gif it failzeis to be completit in the falt of the said Erle and Maister of Eglintoun, thair airis or assignais, in that cais the said Erle of Eglintoun, his airis and assignais, to renunce and frely to gif ouir the saidis lxxx merkis worth of land, with all charteris and euidentis maid thairupoun, without ony paimet of money and proffit to be gifin to thaim thairfor; and gif the said mariage sall happin to failze, to be contractit and completit in defalt of the said Erle and Maister of Glencarne, thare oy or apperand air, in that cais the said Erle of Eglintoun and his airis sall peceablie brouk the said lxxx merkis worth of land, with all mallis, proffittis, and dewiteis thairof, ay and quhill the said Erle and Master of Glencarne, thair airis or assignais, sall content and pay to the said Erle of Eglintoun, his airis or assignais, the sovme of ane thousand pund vsuale money of Scotland, hale and togidder, in ane nomerit sovme, on ane day; and in the menetyme, quhill it be fundin cleirly that the falt beis fundin in the said Erle and Maister of Glencarne, thair airis or assignais, that the said mariage beis nocht completit at tyme and in maner forsaid, the said Erle of Eglintoun,

his airis nor assignais, sall tak vp na proffittis of the saidis landis: And as anentis the slauchteris committit on aither syde, we counsale and ordanis that ather of the saidis partiis, for thaim, thair kyn, frendis, seruandis and adherentis, remit and forgif vtheris all slauchteris, mutilatiounis, hurting, rancour and displessour of thair hartis thair throw, committit or done be ony of thame vpon vtheris before the daite heirof; the slauchter of the Master of Montgumery, the persounis committaris thairof being alwais except: for the quhilk slauchter the said Erle and Maister of Glencarne sall nocht be accusit, becaus thai vnderstand perfitly innocent thairof: and als the persouns being except that ar except of befor be my lord gouernour vnder his hand writt: and ordanis the saidis lordis, ilkane of thaim, to assith thair avne men, kyn, frendis, seruandis, adherentis, of all slauchteris and mutilatiounis committit vpoun thaim, and specialy thair wyffis and barnis, efter the forme of law; and ilkane of the partiis to gif to vtheris sufficient letteris of slanys, witin zere and day: And anentis the chamerlanry and balliery of the landis of Stewartoun clamit be the Erle of Eglintoun, we decerne and ordanis the rycht thairof, for ocht that we zit sene, pertenis and suld pertene to the Erle of Eglintoun, and thairfor ordanis that the said Erle and Master of Glencarne sall decist and cess fra all molestatioun of the said Erle of Eglintoun in the peccable bruking and joising of the said bailzery and chamerlanry during his letteris of gift thairof; and alsua decretis and deliueris the said Erle of Eglintoun to haiff full heretable rycht to the tempill land of Stewartoun; and thairfor ordanis the said Erle and Maister of Glencarne to decist and ceiss fra ony troubling of him and his airis thairin in tyme cuming: And als ordanis that the said Erle and Maister Glencarne sall decist and cess fra all trubling of the said Erle of Eglintoun, his airis or assignais, in the peceable brouking of his heretage of the five merk land of auld extent in Robertoun, callit the W[richt]hill in tyme tocum: And anentis the stedingis pertenyng to vmquhile Johne Striuling, we decerne the saidis stedyngis to remain with the wif and barnis of the said vmquhile Johnne als lang as the barnis ar in thair moderis keping be resone of thair nonage; and thair eftir, thai being furth of thair moderis keping, that ane half of the saidis stedingis to remain with the modir, and that vthir half thairof to remain with the saidis barnis tutouris, the saidis tutouris takand the care and gyding of the saidis barnis quhill thair perfite age; and attour, scho sall nocht purches nor recouir that ane half of the saidis stedingis that ar in thair gudedamis handis, eftir the said gudedamis deceis, in hurt of the saidis barnis; and eftir the said gudedamis decess, gif the saidis barnis beis in thair moderis keping, their moder to bruk and haif the gyding of that half of the saidis stedingis salang as hir saidis barnis ar in hir keping; and thairefter that half to be equaly diuidit amangis thaim: Anent the spulzeis, heirschippis, damnagis and skaithis, done be the said Erle and Maister of Glencarne, thair men, freyndis, seruandis and adherentis, vpone the said Erle of Eglintoun, vmquhile Johne Maister Eglintoun, and the said Archibald his sone; we decerne and ordanis the said Erle and Master of Glencarne to content and pay to the said Erle of Eglintoun the sovme of tuelf hundreth xviii li. xiiii s. ii d. in full contentatioun, assithment and paiment of all heirschippis, spulzeis, damnagis, and skaythis committit and done be the said Erle and Maister of Glencarne, thair men, frendis, seruandis and adherentis, vpone the said Erle

of Eglintoun, Johne Maister of Eglintoun, his sone, Archibald, his sone, thair men, freyndis, seruandis and adherentis, befoir the date heirof, thir heirschippis vnderwrittin being committit apone the said Erle of Eglintouns freyndis and seruandis to be except furth of this decrete, that is to say, in the first, diuers spulzeis committit vpone Master William Montgumry, Lard of Stane, at diuers tymes: Item, diuers spulzeis committit apone Thomas Montgumry in Kilbryde, the spulze of the Law spulzeit be Robert Boid, the spulze committit apone the Erle of Eglintouns tenentis of Blook, the spulze apone his tenentis of L aw, the spulze of his tenentis of Eglintoun, the spulze of Thomas Stevinsone, the spulze of his tenentis of Dunlop, [the spulze of his] tenentis of Gallowberry, the spulze maid apone the lard of Dunlop, [the spulze made apone] the Erle of Eglintouns seruand Thomas Mechell, the spulze maid apone Johnne that tyme he was slane, the spulze of the Lard of Kno[k the tyme thai wer slane, the spulze of Constantyne Montgumiry, the spulzeis committit diuers tymes apone his tenentis be Robert Boid and his complicis, and vtheris, the spulze of the Lard , the spulze of the Zoungis and Cuthbert Thomsone, tenentis to the said Erle of Eglintoun, the spulze of the twa Bennanis in Eglissem apon his tenentis, the spulze maid apone his tenentis of Ardrossane and Eglissame, the spulze maid in ane hous of Eglintoun of ane kist of Alexander Campbellis, the spulze maid apon the Persone of Eglissem and his seruandis, the spulze maid apone the tenentis of Ardrossane, and the spulze maid [apone] the Erlis landis of Bute: And als, nochtwithstanding the said Erle of Eglintoun, his sonnys and seruandis, ar innocent of the spulzeis of Kilmaronok and Kilmawaris, we, for certane consideratiounis moving ws, counsalis and deliueris that the said Erle of Eglintoun sall defeis and discharge the said Erle and Maister of Glencarne of the sovme of five hundreth pundis of the said sovme of xii^{c} xviii li. xiiii s. ii d., adiugeit to the said Erle of Eglintoun as is abone writtin, in full contentatioun, assithment and payment of the heirschippis, spulzeis, damnagis and skaithis, committit and done be Gillespy Dow and his complicis, or be quhatsumeuir vtheris personis, vpone the landis and lordschippis of Kilmaronok and Kilmawaris, and als in assithment of the heirschip, spulze, damnagis and skaithis committit apone the landis and place of Auchinhervy be Nele Montgumiry and his complicis, or ony vtheris personis: And alsua, we discharge the lard of Glengernok of the scheip allegit to be spulzeit be him fra the Erle of Eglintoun; and dischargis the Erle of Eglintoun of the horsses allegit to be spulzeit be him fra the lard of Glengernok out of the landis of the Lath, in the barony of Ardrossane: And als we decrete and ordanis that the said Erle of Eglintoun sall defeis and discharge the said Erle and Maister of Glencarne of the sovme of twa hundreth pundis, xxxvii li. vii s. viii d. of the said sovme of xii^{c} xviii li. xiiii s. ii d., adiugeit to the said Erle of Eglintoun, in full and hale assithment and payment of all the heirschippis, skaythis and damnagis committit be the saidis Erle and Maister of Eglintoun, thair men, freyndis, seruandis and adherentis, befoir the date heirof, except thir spulzeis vnderwriten, that is to say, in the first, the spulze of Kilmernok pertenyng to Robert Boyd, and the tenentis of Kilmernok, the spulze maid apone the tenentis of Dalry, Noddisdale and Kilbride, the spulze committit vpone Gilbert Boyd eldar, the spulze

committit vpone James Lindesay in Cokilby, the spulze committit be James Boyd in Corshill and Patrik Boyd in Clerkland, the spulze committit apone the gude wife of Boynischaw, the spulze committit vpon the puer tenentis of Polkelly and Cunynghamhede, the spulze committit apone the lard of Rowallane, the spulze committit vpone Johnne Cunynghame in Bloik and his fadir, the spulzeis committit vpone Margrette Douglas and Agnes Craufurd, the spulze of Portincors to the lard and his moder, and the tenentis, sen the first spulze maid vpone thaim, the spulze committit vpone Archibald Boyd in Auchintebir, the spulze committit apone the lard of Caprintoun: And [sua we] ordane, and decretis and deliueris that the said Erle and Maister of Glencarne sall content and pey to the said Erle of Eglintoun the rest of the said xii^{c} xviii li. xiiii s. ii d., extending de claro to the sowme of four hundreth four score ane pundis; quhilk sowme we ordane the said Erle and Master Glencarne to content and pay to the said Erle of Eglintoun incontinent: And alsua, we decrete and ordanis that the Erle of Eglintoun sall releif and keip skaithles the said Erle of Glencarne and Maister Glencarne, thair men, freyndis, seruandis and adherentis, of all heirschippis, spulzeis, damnagis and skaythis, that thai haif takin assithment of befor as is abone writtin: And siclyke, we decrete and ordanis that the said Erle and Maister of Glencarne sall releif and keip skaithles the said Erle of Eglintoun, and Archibald, his oy, thair men, freyndis, seruandis and adherentis, of all herschippis, spulzeis, damnagis and skaythis, that thai haif takin assithment of befor, as is abone writtin: And alsua, we specialy except furth of this decrete, Jonet Coluile and Thomas Cunynghameis wife, thair actiounis and quarelis: And attour, baith the saidis partiis sall do thair faithfull diligence to caus all the forsaidis personis, except one athir syde contenit in this decrete, to tak freyndis, and to be oblist to abide at thair deliuerence in amicabill wis, in all thair actiounis and querelis; and gif ony of the saidis personis refusis to tak freyndis in thair actiouns, in that cace it salbe lefull to thaim refusand to tak frendis tocum and persew thair materis befor the lordis of consale, without ony gruche or displesour to be had be ony of the forsaidis lordis or thair freindis thairfor; and that nane of the saidis lordis sall tak part with [them] that refusis to do the counsale of the saidis lordis, quhill the materis be decidit be the [law]: And attour, we decrete, deliueris and ordanis, that the saidis lordis and maisteris, thare kyn, men, frendis, tenentis, seruandis and adherentis, sall stand in hartly kyndnes, amite and concord, in all times tocum, without variance or dissimulatioun, nor nane of thaim sall tak vtheris stedis, rovmes, nor officis that thai now has richt to in tyme tocum: And gif ony of the saidis partiis falzeis and cumis in the contrar heirof, the party failzeand sall content and pay to the party kepand the sovme of ane thousand pund, for damnagis, skaithis and interesis sustenit in tymes bipast; and ane vthir I^{M} li. to the kingis grace, in name of pane, and ane vythir I^{M} li. vsuale money of Scotland, to the reparatioune of the metropolitane kirk of Glasgw, for breking of thair faith and oblissing; and als the saidis Erlis, Maisteris, thare kyn, friendis and seruandis, that are now present in this tovne, sall tak vthiris be the handis, and remitt to vthiris the rancour of thair hartis, and aither of thaim sall bring thair freyndis that ar absent to the tent day of Aprile nixtocum, in Irwin, and caus thame to schaik handis, and tak vthiris in

afald kyndnes and tendirnes, and remitt to vthiris the rancour of thair hartis: And ordanis this our decreite to be registrat in the bukis of consale, and to haif the strenth of ane decreite in tyme cuming; and this to all and sindry quham it efferis we mak it knawin: In witnes of the quhik we the saidis ourmen and jugis forsaidis has subscruit this our present decrete in all with our handis, zeir, day, and place forsaidis: Alsua we except Dauid Cunynghamis spulze of the kirkland of Kilmawaris, quhilk salbe lefull to him to persew vpone quhatsumeuir persone he plesis, my lord of Eglintoun, his barnis and seruandis, except; becaus thai are vnderstand be ws to be innocent of the said spulze: And thairfor the said Erle of Glencarne nor Maister of Glencarne sall nocht [be] oblist be resone of this decrete to mak ony satisfactioun to the said Dauid of the said spulze: Extractum de libro actorum per me, Gavinum Episcopum Abirdonensem, Clericum rotulorum registri ac consilii supremi domini nostri Regis, sub meis signo et subscriptione manualibus.

GAWINUS DUNBAR.

APPOINTMENT by King James V., with advice of Queen Margaret, his mother, of Hugh first Earl of Eglintoun as Bailie and Chamberlain of the Lordship of Stewartoun, 10th September 1524.

110. JAMES be the grace of God King of Scottis, To all and sindry our officiaris, liegis and subditis quham it efferis, quhais knawlege thir our letteris sall cum, Greting: Wit ze us, with auis of our derrest modir the Quene, to haue maid, constitute and ordinit, and be thir present letteris makis, constitutis and ordinis our traist cousing and counsalour, Hew Erle of Eglintoun, Lord Montgomery, our verray lauchfull and vndowtit bailze and chalmerlane of all and hale oure landis and lordschip of the Stewartoun, baith propirtie and tenandreis, with the pertinentis: Gevand, grantand and committand to our said bailze and chalmerlane our full powar and speciall comand, bailze courtis and chalmerlane courtis vpone our saidis landis and lordschip to the tenentis and inhabitantis thairof, and vtheris quham it efferis, to set, begin, efferm, hald and continew as oft as neid beis; sutis to make be callit, absentis to amerciate, trespassouris to punys, vnlawis, amerciamentis and eschaetis of our saidis courtis to rais, vplift, and for the samyn, gif neid be, to poynd and distrenze, and to inbring and make compt of that ane half thairof to ws in our chekker zerelie, and that vther half to be applyit to his avne vse, for his laubirris and gud seruice to be done to ws in the saidis officis; deputis, ane or ma, vndir him in the saidis officis, clerkis, dempstaris, seriandis, and all vther officiaris and membres of our saidis courtis neidful, to make, creat and make be suorn, for the quhilkis he salbe haldin to ansuer; the tenentis and inhabitantis [of] our saidis landis and lordschip, befor quhatsumeuir juge or jugis, spirituall or temporall, thai be attachit or arrestit, to the priuilege and fredome of our saidis bailze courtis and chalmerlane courtis to replege, reduce and agane bring; actioun and colourehaith for iustice to be ministerit to parteis complenzeand within terme of law, to gif and find; the malis, fermis, proffittis and dewiteis of oure saidis landis and lordschip to rais, vplift, zerely and termelie, and for the samyn, gif neid be, to poynd and distrenze, and to inbring and mak compt thairof in our chekker zerelie;

and generalie all and sindry vther thingis to do, exerch and vse, that to the office of bailzery and chalmerlanry of our saidis landis and lordschip of law or consuetude ar knawin to pertene: Ferme and stable haldand and for to hald all and quhatsumeuer thingis our said bailze and chalmerlane, his deputis and officiaris, in our name in the premissis richtuislie ledis to be done: Thir our letteris of bailzerie and chalmerlanry vnto oure perfite age without reuocatioun to indure: Gevin vnder oure priue sele, with subscriptioun of ws and our said derrest moder the Quene, at Edinburgh, the tent day of September, the zere of God, I^{M} V^{c} tuenty and four zeris, and of our regne the xi zere.

PROCESS of DISPENSATION for the marriage between Neill Montgumry and Margaret Mure, 21st July 1525.

111. VNIUERSIS et singulis sancte matris ecclesie filiis ad quorum noticias presentes litere peruenerint, Johannes Dingwall, sacrosancte sedis apostolice Prothonotarius, ac ecclesiarum cathedralium Cathanensis et Abirdonensis Archidiaconus, et Cancellarius, judex delegatus, et commissarius in hac parte sedis apostolice, ad infrascripta, vnacum nostro in hac parte collega, videlicet, egregio viro, Magistro Gilberto Strathauchin, ejusdem sedis Prothonotario, ac Canonico Abirdonensi, cum illa clausula discretioni vestre et cuilibet vestrum, etc., specialiter constitutus, Salutem in omnium Salvatore: Literas commissionum declaratoriarum desuper directas, reuerendissimi in Christo patris et domini, domini Laurencii, miseracione diuina titulo Sanctorum Quatuor Coronatorum presbyteri Cardinalis, maioris Penitentiarii apostolici, et illius vicem gerentis, sigillo officii Penitentiarii cera rubea in capsulis ferreis, cum filis rubeis, more Romane curie, impendenti, sigillatas; sanas, siquidem et integras, non viciatas, non cancellatas, nec in aliqua parte earundem suspectas, sed omni prorsus vicio et suspicione carentes, nobis per nobilem virum, Nigellum Montgomery, laicum Glasguensis diocesis, et nobilem dominam, Margaretam Mure, mulierem, eius coniugem, eiusdem diocesis, exhibitas et presentatas, cum omni qua decuit reuerencia, noueritis nos recipisse, huiusmodi sub tenore: Laurencius miseracione diuina titulo Sanctorum Quatuor Coronatorum presbyter Cardinalis, discretis viris, Archidiacono Cathanensis, et Gilberto Strathauchin, Canonico Abirdonensis ecclesiarum, Salutem in Domino: Ex parte Nigelli Montgumry, laici, et Margarete

Mure, mulieris, coniugum, Glasguensis diocesis, nobis oblata peticio continebat, quod alias ipse Nigellus, forsan ex aliquorum relatione, sciens Margaretam prefatam sibi aliquo consanguinitatis gradu prohibito esse coniunctam, ipsa vero Margareta, tunc in vndecimo sue etatis anno constituta, gradum consanguinitatis huiusmodi ignorans, matrimonium inter se, per verba de presenti, seu verius sponsalia per verba de futuro, contraxerunt, illudque seu illa in facie ecclesie solemnizarunt, et deinde dicta Margareta, in duodecimo dicte etatis sue anno constituta, post mutuam cohabitationem se se carnaliter cognouerunt; verum quia dicti coniuges duplici quarto consanguinitatis gradu inuicem sunt coniuncti, et si diuorcium fieret inter eos grauia exinde scandala possent verisimiliter exoriri; quare supplicari fecerunt humiliter dicti coniuges eis super his, per sedem eandem de absolucionis debite beneficio et opportune dispensationis gratia misericorditer prouideri: Nos, igitur, cupientes ipsorum coniugum animarum prouidere saluti, et huiusmodi scandalis quantum cum Deo possumus obuiare, auctoritate domini pape, cuius penitentiarie curam gerimus, et de eius speciali mandato, super hoc viue vocis oraculo nobis facto, discretioni vestre, et cuilibet vestrum, cum, ut asseritur, ecclesia Glasguensis ad presens pastore careat, committimus quatenus, si est ita, eundem Nigellum a generali excommunicationis sententia quam propter hoc incurrit, incestus reatu et excessibus huiusmodi absoluatis, in forma ecclesiastica consueta, iniuncta inde sibi pro modo culpe penitentia salutari, et aliis que de jure fuerint iniungenda; demum cum ipsis, quod, impedimento consanguinitatis huiusmodi non obstante, licite valeant in eorum sic contracto matrimonio remanere, misericorditer dispensetis; dummodo dicta mulier propter hoc ab aliquo rapta non fuerit, prolem susceptam, si qua sit, et suscipiendam, exinde legitime decernentes: Datum Rome, apud Sanctumpetrum, sub sigillo officii Penitentiarie, ii kalendas Julii, pontificatus domini Clementis Pape vii, anno primo: Laurencius miseratione diuina, titulo Sanctorum Quatuor Coronatorum presbyter Cardinalis, discretis viris, Archidiacono Cathanensis, et Gilberto Strathauchin, Canonico Abirdonensis ecclesiarum, Salutem in Domino: Ex parte Nigelli Montgomery, laici, et Margarete Mure, mulieris, coniugum, Glasguensis diocesis, nobis oblata petitio continebat, quod alias ipsi, quasdam literas in certa et solita forma commissionis vobis directas, a sede apostolica obtinuerunt, continentes, vt, non obstante quod duplici quarto consanguinitatis gradibus essent inuicem coniuncti, possent in eorum sic contracto matrimonio licite remanere, dispensaretis misericorditer cum eisdem: tamen ipsi, timentes literas huiusmodi ex eo fore surrepticias et inualidas, quod vnus ipsorum coniugum duplici tertio, alter vero duplici quarto gradibus a stipite communi distabant, et quod alter ipsorum duplici tertio in ipsis literis mentio aliqua facta non fuit; supplicari fecerunt iidem coniuges eis in hac parte per eandem sedem misericorditer prouideri: Nos, igitur, attendentes quod felicis recordationis dominus Clemens Papa vi, quaslibet dispensationis literas in casu simili ab eadem sede obtentas et obtinendas, omissione mentionis de distancia tertii gradus predicti a stipite non facte in dispensationibus ipsis, nequaquam obstante validas et sufficientes existere, et robur plenarie firmitatis habere, auctoritate apostolica declarauit; auctoritate domini pape, cuius penitentiarie curam gerimus, discretioni vestre, et cuilibet vestrum, committimus quatenus, juxta huiusmodi apostoli-

cam declarationem, predictas commissionis literas sufficientes decernatis, et validas perinde existere, ac si in eisdem de distancia tertii gradus predicti mentio facta foret: Datum Rome, apud Sanctumpetrum, sub sigillo officii penitentiarie, kalendis Julii, pontificatus Clementis Pape vii, anno primo: Post quarumquidem literarum apostolicarum preinsertarum presentationem et receptionem nobis et per nos vt premittitur factas, fuimus humiliter debita cum instantia requisiti, per dictos Nigellum Montgumry, et Margaretam Mure, eius coniugem, principales coram nobis personaliter constitutos, quatenus auctoritate apostolica nobis commissa, ad executionem dictarum literarum apostolicarum commissionum et literarum declaratoriarum desuper directarum et desuper habitorum ac contentorum, in eisdem procedere, et cum eisdem dispensare dignaremur: Nos, igitur, eorum piis desideriis animentes, receptis primitus de mandato nostro nonnullis testibus fidedignis ad sacrosancta Dei ewangelia juratis, habitaque diligenti inquisitione super noticia impedimentorum subscriptorum, comperimus dictos Nigellum Montgumry et Margeretam Mure, coniuges, in duplici tertio et quarto consanguinitatis gradibus, videlicet, vnum ipsorum duplici tertio, alterum vero duplici quarto consanguinitatis gradibus, a stipite communi distare, ipsamque Margaretam Mure ad huiusmodi matrimonium contrahendum ab aliquo raptam minime fuisse, aliaque in dictis literis apostolicis contenta, veritati subsistere, et ipsos ad huiusmodi dispensationis gratiam obtinendam habiles fore concipimus, ipsumque Nigellum a generali excommunicationis sententia, quam alias incurrebat, occasione contentorum in huiusmodi literis apostolicis preinsertis, et ab huiusmodi incestus reatu absoluimus, et absolutum fore decernimus; ac penitentias salutares pro premissis sibi iniunximus: Idcirco, auctoritate apostolica nobis commissa, et qua fungimur in hac parte, cum dictis Nigello Montgumiry et Margareta Mure, eius coniuge, vt in huiusmodi matrimonio inter eos contracto libere et licite remanere possint et valeant misericorditer duximus, in eorum propriis personis, genibus flexis, id humiliter petentibus dispensandum, prout tenore presentium cum eisdem dispensamus; prolem susceptam, si que sit, et suscipiendam, legitimam fore decernimus; non obstantibus huiusmodi duplici tertio et quarto consanguinitatis gradibus predictis: In quorum omnium et singulorum fidem et testimonium premissorum, has presentes literas nostras, siue presens publicum instrumentum, processum dispensationis huiusmodi in se continentes, exinde fieri fecimus, et per dictum notarium publicum subscriptum, et coram nobis scribam in premissis deputatum, subscribi et publicari mandauimus, sigillique nostri jussimus et fecimus appensione communiri: Datum et actum infra ecclesiam collegiatam beati Egidii de Edinburgh, Sanctiandree diocesis, in insula siue capella Sancti Thome infra eandem situata, hora quasi decima ante meridiem, vel eocirca, die vicesimo primo mensis Julii, anno Domini millesimo quingentesimo vigesimo quinto, Indictione decima tertia, Pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidentia Pape septimi, anno secundo: Presentibus ibidem, honorabilibus et discretis viris, Nigello Montgumry de Skeldoun, Magistris Gilberto Corry, Willelmo Meldrum, dominis Roberto Muntgumry, Johanne Campbell, Willelmo Lintoun, Johanne Mathesone, presbyteris, et Johanne Laying, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Willelmus Dik, clericus Abirdonensis diocesis, publicus sacra apostolica et imperiali auctoritatibus notarius, prefatique reuerendi patris et domini, Johannis Dingwell, Prothonotarii apostolici, Archidiaconi, Cancellarii, et iudicis delegati antedicti, et coram eo scriba in premissis deputatus, Quia etc.

WILLMS DIK.

GRANT by King James V. to Hugh Earl of Eglintoun, of the office of Justice-General of Scotland, 21st February 1526.

112. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes littere peruenerint, Salutem: Quia, cum auisamento trium regni nostri statuum in postremo nostro parliamento, creauimus, constituimus et ordinauimus nostrum consanguineum et consiliarium dilectum, Hugonem Comitem de Eglintoun, Dominum de Montgomery, nostrum Justiciarium Generalem pro nostre iusticiarie itinerum in borialibus regni nostri partibus tentione; vigore cuius prefatus noster consanguineus memorato officio iuste et debite, nostro ingenti honori et iusticie bonitati regni nostri, infra vicecomitatus nostros de Couper in Fiff et Perth functus est; vnde nos perfecte perpendentes prefatum consanguineum nostrum pro predicto iusticiarie officio apprime habilem et conuenientem, ac pro suo bono et gratuito seruicio in huiusmodi officii executione impenso et impendendo, de nouo fecimus, creauimus, constituimus et ordinauimus, necnon presentium tenore facimus, creamus, constituimus et ordinamus prefatum consanguineum nostrum, Hugonem Comitem de Eglintoun, totius regni nostri et omnium eiusdem partium, ad nostram vsque viginti quinque annorum etatem perfectam, nostrum Justiciarium Generalem; dantes, concedentes et committentes eidem nostram plenariam potestatem ac mandatum speciale, omnia et singula nostre iusticiarie itinera et curias nostro nomine affigendi, proclamandi, inchoandi, tenendi, affirmandi et continuandi, quotiens opus fuerit, sectas vocari faciendi; absentes amerchiandi, transgressores puniendi, prefatarum iusticiarie curiarum exitus, amerchiamenta et eschaetas percipiendi, leuandi, et ad nostrum vsum applicandi et importandi, ac pro eisdem (si opus fuerit), namandi et distringendi; personas indictatas nostre iusticiarie itineribus et curiis attachiari et arrestari faciendi; transgressores de quibusuis criminibus delatos assise cognitioni ponendi, conuictos puniendi et iustificandi, aut cum eisdem, secundem suarum transgressionum qualitatem et quantitatem et iuris exigenciam et regni nostri consuetudinem, finandi et componendi; assisas proborum patrie virorum summonendi, eligendi et iurari faciendi; deputatum vnum seu plures sub eo in prelibato officio, clericum, seriandum, iudicatorem et alios officiarios quoscumque, ac curie membra necessaria faciendi, creandi, substituendi, ordinandi et jurari faciendi, pro quibus respondere tenebitur; et ipsos imponendi et remouendi quotiens sibi expedire videbitur: Et generaliter omnia alia et singula faciendi, gerendi, dicendi et exercendi, que ad officium iusticiarie in premissis de jure seu regni nostri consuetudine dinoscuntur pertinere: Ratum et gratum, firmum atque stabile habentes et habituri totum et quicquid dictus noster iusticiarius, eius deputati et officiarii, nostro nomine in premissis rite duxerit seu duxerint faciendum: Pro cuiusquidem officii

vsu et exercitio, damus et concedimus prefato consanguineo nostro, Hugoni Comiti de Eglintoun, omnia feoda et deuoria de eodem debita et consueta, et que admodum vlli alii iusticiarii pro eodem retroactis temporibus habuerunt: Tenendum et habendum prefatum officium, cum omnibus feodis et deuoriis de eodem debitis et consuetis, prefato consanguineo nostro, Hugoni Comiti de Eglintoun, ad nostram vsque perfectam viginti quinque annorum etatem (ut premittitur) completam; cum omnibus et singulis libertatibus, commoditatibus, proficuis, asiamentis ad prefatum officium spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo impedimento, reuocatione, contradictione aut obstaculo aliquali: Insuper verbo regio fideliter promittimus, per presentes, quod easdem nostro proximo parliamento approbabimus, ratificabimus et confirmabimus, nec ipsas vnquam in futurum, vsque ad nostram viginti quinque annorum etatem perfectam, reuocabimus, cassabimus aut annullabimus, Et si contigerit nos presentes quouis quesito, colore aut sollicitatione reuocare, nunc prout extunc, et econuerso, easdem renouamus, reualidamus et approbamus, in omnibus suis punctis, cum omnium defectuum supplemento in vberiori forma: Quare omnibus et singulis ligeis et subditis nostris, et aliis quorum interest, stricte precipimus et mandamus quatenus ipsi et ipsorum quilibet prefato iusticiario nostro, suisque deputatis et officiariis, in officii antedicti vsu et exercitatione et omnibus idem concernentibus, et nulli alteri in futurum, durante spacio supradicto, prompte pareant, obediant, respondeant et intendant, pareat, obediat, respondeat et intendat, sub omni pena que competere poterit in hac parte: In cuius rei testimonium sigillum nostrum magnum presentibus apponi precepimus, apud Dunde, vicesimo primo die mensis Februarii, anno Domini millesimo quingentesimo vicesimo sexto, et regni nostri anno decimo quarto.

Commissio Justiciarie pro Comite de Eglintoun, etc.

CHARTER by King James V. to Robert Huntar of Hunterstoune, and spouse, of the island of Little Cumray, 31st May 1527.

113. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem: Sciatis nos, cum auisamento compotorum nostrorum rotulatoris, post dissolucionem per quondam nobilissimum patrem nostrum, Jacobum Quartum Dei gracia Scotorum Regem bone memorie, cuius anime propicietur Deus, cum auisamento trium regni nostri statuum in parliamento suo factam, de annexacionibus terrarum ad coronam suam, pro assedacione earundem in feodifirma, in augmentacionem rentalis sui, et proficuum patrimonii corone sue, dedimus, concessimus et ad feodifirmam dimisimus, ac tenore presentis carte nostre damus, concedimus et ad feodifirmam dimittimus hereditarie dilectis nostris, Roberto Huntar de Hunterstoune, et Jonete Montgumry, sponse sue, et ipsorum alteri diucius viuenti in coniunctam feodacionem, et heredibus suis subscriptis, totam et integram insulam nostram et terras nostras de Little Cumray cum pertinenciis, jacentes infra riuum de Cluda: Quasquidem insulam et terras cum pertinenciis dictus Robertus et predecessores sui, de nobis et predecessoribus nostris, in custodia

hereditarie prius habuerunt; et pro custodia ipsarum duas celdras auenarum annuatim habuerunt, per vicecomitem nostrum de Bute, nomine nostro, de firmis nostris terrarum et insule nostre de Bute, annuatim persolutas: Tenendas et habendas totas et integras predictas insulam et terras de Little Cumray cum pertinenciis dictis Roberto et Jonete, sponse sue, et ipsorum alteri diucius viuenti in coniunctam feodacionem, et heredibus masculis inter ipsos legitime procreatis seu procreandis; quibus deficientibus, legitimis et propinquioribus heredibus masculis dicti Roberti; quibus omnibus deficientibus, seniori heredum suarum feminearum, absque diuisione predictarum terrarum, de nobis et successoribus nostris, in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro insula et terris antedictis cum pertinenciis, que in rentali nostro per prius non fuerunt, summam trium librarum sex solidorum et octo denariorum, vsualis monete regni nostri, ad duos anni terminos consuetos, festa videlicet Penthecostes et Sancti Martini in hyeme, per equales porciones, nomine feodifirme tantum, in augmentacionem rentalis nostri ad summam predictam annuatim; cum exoneracione dictarum duarum celdrarum auenarum que dicto Roberto et predecessoribus suis, pro custodia dicte insule, annuatim per prius solute erant: aceciam heredes supradicti reddendo nobis et successoribus nostris duplum dicte feodifirme de vno anno ad primum introitum eorum ad prefatas terras, vt vsus est feodifirme: necnon dictus Robertus, et Joneta, sponsa sua, et ipsorum alter diucius viuens, et heredes sui predicti, edificando et sustentando super dictis terris mansionem sufficientem, cum aula, camera, bostari, aliisque edificiis et polecia necessariis, et sicut solum dictarum terrarum ad hoc corrispondens fuerit; In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendissimis reuerendisque in Christo patribus, Jacobo Sanctiandree et Gawino Glasguensi, Archiepiscopis, Gawino Episcopo Abirdonensi, nostrorum rotulorum, registri et consilii clerico, Henrico Episcopo Candidecase nostreque capelle regie Striuilingensis; dilectis consanguineis nostris, Archibaldo Comite Angusie, Domino Douglas, Jacobo Comite Arranie, Domino Hammyltoun, Hugone Comite de Eglingtoun, Domino Montgumry; venerabilibus in Christo patribus, Patricio Priore ecclesie metropolitane Sanctiandree, Willelmo Abbate monasterii nostri Sancte Crucis, prope Edinburgh; dilectis familiaribus nostris, Archibaldo Douglas, Preposito de Edinburgh, Thesaurario nostro, Magistro Thoma Erskin, secretario nostro, et Jacobo Coluile de Vchiltre, nostrorum compotorum rotulatore et nostre Cancellarie Directore, apud Edinburgh, vltimo die mensis Maii, anno Domini millesimo quingentesimo vicesimo septimo, et regni nostri decimo quarto.

TACK by Hugh first Earl of Eglintoun to James Wallace of Carnell, his 'Gud soun,' of the lands of Tarboltoun and Galstoun, excepting the Fortalice of Galstoun, &c., 3rd March 1527.

Die veneris, xxviii^{o} Junij, Anno Domini 1529.

114. AT Polnwne, the thrid day of Marche, the zeir of God I^{M} V^{c} xxvij zeris, It is appunctit, concordit, faithfullie compromittit, and finalie endit betuix ane noble and michti lord, Hew Erle of

Eglintoun, Lord Mungumry, &c., on the ta part, and his gud soun James Wallace of the Carnell on the toyir part, in maner, forme and effect as eftir folowis: In the first, the said lord hass set, and be the tenor of this writt settis, to the said James and his assignais, all and hale his landis of Torboltoun and Galstoun, pertenyng till him in heretage, as his infeftment mad to him be our Soueran Lord proportis in the self at mar lenth, except the xl s. land of the tour of Galstoun, and the fortilege of the samyn, for the space of thre zeris nixt and immediate folowing the fest of Witsonday immediatlie and nixt folowing the date of this writt; the quhilk fest of Witsonday salbe the entre of the said James and his assignais in and to the said tak and sett of the said landis: For the quhilk tak and sett the said James, his airis and assignais, sall pay zerlie the said lord, his airis, successouris and assignais, the sovme of sex scoir of merkis gud and vsuale mone at tua vsual termis in the zere, Witsonday and Martimess in winter, be equale portionis, to be deliuerit zerlie and termlie induring the said thre zeris, in the place of Eglintoun, to the said lord or his factouris, witin tuenti dayis efter ilk terme, and falzeing yairof, the said tak to be expirite and of nane avale: Alsua the said James sall pay to the said lord, his airis, assignais and factouris, thre termes males bigane of the said landis at the makin of this writt, betuix and Witsonday nixtocum; and geif it happinis the said James, his airis or assignais, to be inquiet, vexit or tribulit be ony persoun or personis, be way of the law, in the bruking of the said landis, or ony part thairof, sa that he may nocht bruk tham be the said lordis richt, in that cass the said lord, his airis and assignais, sall defalk and remitte to the said James, his airis and assignais, zerlie and termlie, of the said sovme of sex scoir of merkis, efferand to the quantite and avale of the sovm or sovmes of the profet and avale of thai landis quhilkis the said James happinis to be inquiet or tribulit into, be way of the law, as said is; atour, the said lord sall mak and deliuer to the said James letteris of tak and assedatioun of the said landis to him, his airis and assignais, in the maist sickir wiss, to the effect abwn writtin: And the said lord sall persew be law the persoune or persovnis, geif ony beis, inquietaris of the said James, or witholdars of the avales tharof in all or part, on the said lordis propir expensis; the said James doand his vter diligence in the persute of the said mater: And finalie, the said James sall compere in Glasgw, witin tuenti daiis efter the date herof, and act him in the officialis bukis of Glasgw for the payment of the said sovm of sex scor of merkis, and the avale of the said termes bigane in forme, as said is, vndir the pane of cursing and censuris of haliekirk: and to the keping, obseruing and fulfilling of all and sindry thir premisses, the saidis parteis ar oblist and sworne, the haly evangele tuichit; and in the mair certification herof, aythir of thame hass subscruite this present writt wit thar handis, day, zere, and place forsaid, befor thir witnes, Troilus Mungumbri, Schir Robert Mungumbrj, chaplane, and Master Gavine the Ross, publice notar, wit otheris diuerss.

ERL OF EGLINTON.

JAMES WALLACE, with my hand.

REVOCATION by King James V. of his gift to William Master of Glencarne, of the escheat of Hugh first Earl of Eglintoune, 5th September 1528.

REX.

115. WE, remembering how we, being in the handis and subiectioune of Archibald Erll of Angus, was sollistit and causit be him and William Maister of Glencarne, his eme, to dispone to the said Williame and to vtheris, the vnlawis and eschaete gudis of our traist cousing and counsalour, Hew Erll of Eglintoune, delatit of arte and parte of the slauchter of vmquhile Edward Cunynghame of Auchinhervy; howbeit our said cousing wes at all tyme innocent thairof, and is maid quyte be ane lauchfull assise of the samyne; quhairethrow we had na just titill be resonne and conscience to the saidis vnlawis and eschaete, and thairfare we dischargeit our said cousing thairof be our letteris of before: And now becaus we vndirstand perfytely the disposinance of the saidis vnlawis and eschaete gudis pertinying to our said cousing wes hurt and preiudice to our conscience, becaus he wes innocent of the said slauchter, and maid quyte be ane assise of the samyne, and durst nocht, for manifest fear and dredour of his life, compere at the first day assignit to him to vnderly our lawis for the samyne: Tharefore, in this our present parliament, we cassis, adnullis and reuokis the saidis giftis maid to the said Williame Maister of Glencarne, or to ony vtheris, and decernis the samyne of nane avale, force, nor effect in all tymecuming; reseruand to our said cousing all his just actioune and persute of the saidis gudis, safer as is takin fra him be our saidis pretendit giftis, like as the samyne had neuer bene maid: Chargeing all our officiaris and ministeris of law that nane of thame tak vpone hand to admit or appreve our said pretendit giftis in jugement nor without: Subscriuit with our hand and vnder our signete, at Edinburgh, the fyft day of September, and of our regne the xv zere.

JAMES R.

GRANT by King James V. to Hugh first Earl of Eglingtoune, of the office of Justiciary in the Bailiery of Cunynghame, 11th November 1528.

116. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Quia, ex deliberatione dominorum nostri consilii, fecimus, constituimus et ordinauimus, ac tenore presentium facimus, constituimus et ordinamus dilectum consanguineum et consiliarium nostrum, Hugonem Comitem de Eglingtoune, Dominum Montgomery, balliuum nostrum de Cunynghame, iusticiarium nostrum in hac parte et ad infrascripta duntaxat; dantes et concedentes dicto nostro Justiciario in hac parte nostram plenariam potestatem et mandatum speciale, curiam seu curias Justiciarie nostre in balliam nostram predictam statuendi, inchoandi, affirmandi et quotiens opus fuerit, continuandi; sectas vocandi, absentes amerciandi, transgressores puniendi; necnon personas subscriptas, viz., Symonem Grahame, Johannem Grahame, Willelmum Haliday, Alanum Or, Jacobum Or, Laurentium Raa, Robertum Schort, Trotter, et Georgium Adam, de communi furto, rapina, depredationibus et aliis quibuscunque plurimis enormitatibus, die nocteque dilatatos, apprehendi, capiendi, accusandi et

justificandi, accusarique et justificari faciendi, secundum eorum demerita ac jura et regni nostri consuetudinem; assisamque proborum patrie dicte nostre ballie aut sufficientem numerum personarum minime suspectarum et veritatem meliorem agnoscentium, ad effectum predictum summonendi, premuniendi, et jurari faciendi; officiariosque et ministros curie pro premissis necessarios similiter creandi et jurari faciendi; et generaliter omnia alia et singula faciendi, gerendi et exercendi que in premissis aut circa ea necessaria fuerint, seu quomodolibet oportuna: Ratum et gratum habentes et habituri totum et quicquid dictus noster Justiciarius in hac parte, sui ve officiarii et ministri in premissis rite duxerit, seu duxerint faciendum: Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus quatenus dicto nostro Justiciario in hac parte, suisque officiariis et ministris, in omnibus et singulis premissa tangentibus, prompte respondeant, pareant et intendant, sub omni pena que competere poterit in hac parte: Datum sub sigilli magni nostri testimonio, apud Edinburgh, vndecimo die mensis Nouembris, anno Domini millesimo quingentesimo vigesimo octauo, et regni nostri decimo sexto.

Ex deliberatione dominorum consilii, etc.

CHARTER by King James V. to Hugh first Earl of Eglingtoune, of the Barony of Ardrossane, etc., 23rd January 1528.

117. JACOBUS Dei gracia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quod nobis et consilii nostri dominis clare constat, quod dilectus noster consanguineus et consiliarius, Hugo Comes de Eglingtoune, et sui predecessores fuerunt per nos et nostros nobilissimos progenitores bone memorie, quorum animabus propicietur Deus, hereditarie infeodati de terris et baroniis subscriptis, de nobis et predecessoribus nostris per seruicium warde et releuii in capite tentis, videlicet, terris et baronia de Ardrossane cum molendinis earundem, extendentibus ad centum octuaginta mercatas terrarum antiqui extentus in proprietate et tenandria; et de quadraginta mercatis terrarum antiqui extentus de Eglingtoune in proprietate et tenandriis, cum molendinis earundem; et de viginti solidatis terrarum antiqui extentus de Snotgerss; et de quadraginta libratis terrarum antiqui extentus de Robertoune, tam in proprietate quam in tenandriis, cum molendinis earundem; acetiam de quadraginta solidatis terrarum antiqui extentus de Alhallow chapell cum omnibus suis pertinenciis, jacentibus infra vicecomitatum nostrum de Are; et de terris et dominio de Eglishame, cum molendinis, aduocacione et donacione ecclesiarum et capellaniarum earundem, extendentibus in proprietate et tenandriis ad centum mercatas terrarum antiqui extentus; et de viginti libratis terrarum de Estwod in proprietate et tenandriis, cum molendinis earundem; et de decem libratis terrarum antiqui extentus de Lochlebothsyd, jacentibus infra vicecomitatum nostrum de Renfrew; et de decem libratis terrarum de Bonyntoun et quinque libratis terrarum de Poltoune, antiqui extentus, jacentibus infra vicecomitatum nostrum de Edinburgh, et infra baroniam et vicecomitatum de Renfrew racione annexacionis; et de viginti libratis terrarum antiqui extentus de Locharansaye cum molendinis earundem,

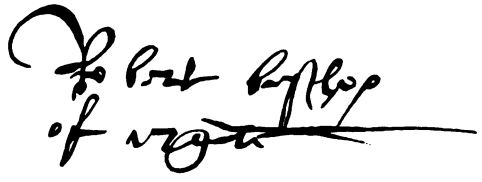
jacentibus in insula de Arane, infra vicecomitatum nostrum de Bute: Et quod dicti quadraginta librati dictarum terrarum antiqui extentus de Robertoun, et dicti viginti librati terrarum antiqui extentus de Estwod, tam proprietas quam tenandria, cum molendinis earundem et suis pertinenciis, pertinent dicto Hugoni Comiti de Eglingtoune, et Domine Helene Campbell, eius sponse, et eorum alteri duicius viuenti in coniuncta infeodacione: Aceciam notorie constat quod principale messuagium dicti Comitis et manerium de Eglingtoune nuper combusta et destructa erant per Willelmum Cunynghame, militem, Magistrum de Glencarne, suosque amicos et complices, inimicos dicto Comiti, vbi sue carte, instrumenta sasine, infeofamenta et euidencie dictarum suarum terrarum in custodia fuerunt, et in eisdem combuste et destructe erant: Et nos, pro bono, fideli et gratuito seruicio per dictum Comitem nobis et predecessoribus nostris impenso, nolumus quod dictus noster consanguineus in sua antiqua hereditate predictarum terrarum, ob distructionem dictarum suarum cartarum et euidenciarum, per suos inimicos vt predicitur perpretatam modo predicto, ledatur; et propterea confitemur, declaramus, admittimus et approbamus dictum Hugonem Comitem de Eglingtoune nobis immediatum et legitimum tenentem omnium predictarum terrarum suprascriptarum, tam in proprietate quam in tenandriis, cum molendinis, piscacionibus, aduocacionibus et donacionibus ecclesiarum et capellaniarum earundem et suis pertinenciis: Tenendarum prefato Comiti et heredibus suis, de nobis et successoribus nostris hereditarie, per seruicium warde et releuii, vt premittitur; similiter sicut dicti Hugonis infeodacio et instrumenta sasine omnium et singularum terrarum predictarum combuste et destructe, modo predicto, presentes ostendende fuerunt; sic quod presens nostra declaracio, testificacio, et admissio erit dicto Comiti et heredibus suis pro sufficienti carta, sasina et infeofamenta omnium et singularum dictarum terrarum, tam proprietatis quam tenandriarum, cum molendinis, piscacionibus, aduocacionibus et donacionibus ecclesiarum et capellaniarum earundem cum suis pertinenciis, omni tempore affuturo, absque aliquo impedimento, contradictione, obstaculo, aut reuocacione quibuscunque: Et hoc omnibus et singulis quorum interest notum facimus per presentes: In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus, apud Edinburgh, vicesimo tercio die mensis Januarii, anno Domini, millesimo quingentesimo vicesimo octauo, et regni nostri decimo sexto.

DECREET ARBITRAL by Robert Bishop of Ergile and others, between Hugh first Earl of Eglingtone, Robert Boyd in Kilmernok, and Mungo Mvre of Rowallan, 2nd May 1530.

118. AT Glasgov, the secund day of Maii, in the zeir of God ane thousand v^{c} and xxx zeris: We, Robert, be the permissione of God, Bischop of Ergile, Maister James Houstone, Subdecane of Glasgov, Colin Campbell of Archinglas, James Coluile of Vchirly, Patrik Maxvell of Nevvirk, and Johne Lokart of the Bar, jugis arbitratouris and amicabile compositouris chosin betuix Hew Erle of Eglingtone, his barnis, bredir, kyn, frendis, seruandis and tenandis, for the tane part; and Robert Boyd in Kilmernok, Mungo Mvre of Rovallane, thar barnis, bredir, kyn, frendis,

seruandis and tenandis, for the todir part; the saidis partes beand bund, oblest and suorne til abid, vnderly and fulfill our sentence, decret and deliuerance, anentis all slatteris, spulzeis, debatis, actionis, contrauersis, causis and quarellis quhatsumevir, that athiris of the saidis parteis had aganis oderis in all timis bigane one to the dat of thir presentis, and specialy anentis ane honest assythment to be modifiit be ws to the said Robert for the sclattyr of his cheif; and siclik anentis the stedden of the Lav: We, takand the saidis materis in and apone ws, and beand oblest and suorne til decret and deliuer thar apone, and the saidis parteis beand oblest and suorne, as said is, til abid and fulfill our sentence, vythout reuocatione or reclamatione; we beand veill and riply auisit herin, all aggreand and concurrand in ane woce, decretis, deliueris, and for finale sentence arbitrale pronuncis, wyth consent and assent of the saidis partiis, that the said Hew Erle of Eglingtone sal giff, pay and deliuir to Robert Boyd in Kilmernok and Mungo Mvr of Rovallane, the sovme of tua thousand mercis, of the quhilk sovme the said Mungo sal haue tua hundreth mercis, to be payit at ther termis vndir writtin; viz., at Vitsunday nixt eftir the dat of thir presentis, fife hundreth mercis, and at the nixt Mertimes thareftir in wynter, fife hundreth mercis, and sa furth, terme be terme, Vitsunday and Mertimes, ay and quhill the complett paiment of tua thousand mercis be payt to the saidis Robert and Mungo as said is: And als the said Hew Erle of Eglingtone sal discharge all assythmentis of sclatteris bygane, spulzeis, debatis, quarellis, contrauersis and actions quhatsumeuir, committit be the saidis Robert, Mungo and thar forsaidis, apone the said Hew Erle of Eglingtone and his forsaidis, of all times bygane, one to the dat of thir presentis: And attour, the said Erle of Eglingtone sal giff our his enteres, rycht and kyndnes, fra hym and his, of the steddine of the Lav, vyth the rycht and pertinentis of the samyn, to the said Robert, at the nixt Vitsunday; nocht the less the corne and gudis apone the said grvnd and profet of this crop, corne and beyr, sal pertene to the said Erle: For the quhilkis abone vrittin, the saidis Robert, for his bredir, barnis, kyne, frendis, sal giff his and tharis hartly kyndess to the said Erle and his forsaidis, and remit all sclatteris bigane, and specialy the sclatter of the said Robertis cheiff, and sall giff the said Erle his letteris in deu forme of slanis or assythment, at the plesour of the said Erle: And als the saidis Robert and Mungo, for thame selff, tharis barnis, bredir, kyne, frendis, seruandis and tenandis, sall discharge the said Erle of Eglingtone and his forsaidis, of all assythmentis and sclatteris bigane, spulzeis, debattis, quarellis, controuersiis and actionis quhatsumeuir, committit be the said Erle and his forsaidis apone the saidis Robert and Mungo and tharis forsaidis; and, specialie, thay committit in quhenis landis and barony of Rovallane, and at sege of Kilmernok, and of the vptaken of the profettis of the malen of the Lav, and myl and pertinentis of the samyn, of all ziris bigane: And als the said Robert sal, Goduilling, mari his sone and appirand air apone ane of the oos of the said Erle Eglingtonis quhik is maist conuenient, as the saidis parteis can agre, and the tochir to be modifiit be the said Erle, Robert, and thar frendis: And als, the saidis parteis sal stand in vnite, concord and hartly kyndes til oderis; and sal tak oderis partis faythfully in all thar actionis, quarellis, causes, contrauersis, and debattis quhatsumeuir movit or to be movit, lesone and honest, aganis quhatsumeuir

persone or personis, our souerane lord exceppit: And gif it sal happin ony of the saidis parteis, kyn, frendis, seruandis, or tenandis, to debait or discord in ony maner of vaye, the party committand the said debat or discord salbe deliuerit to the party that is hurt, and to thar frendis, quhill the saidis parteis convene apone xv daiis varnen, for redress and punitione of the samyn; and giff the said committar can nocht be apprehendit, bayth the saidis parteis sal concur in contrar of the said brekar, and tak ane part aganis hym: And the said discord to be reput nor impit na brek to the said parteis, bot to be redressit as said is: And als the said Erle and his forsaidis sal find sufficient cautionaris for the sovmis of money and premissis abone vrittin for his part: And inlikuis the saidis Robert and Mungo sal fynd sufficient cautionaris for the kepen and varandice of the premissis abone vrittin: And giff it sall happin, as God forbeid it do, ony of the saidis parteis to brek in tyme cuming, the party brekar sal content and pay to the party kepand, the sovme of four thousand mercis vitin xx dayis eftir that it be notorly knavin, for costis, and dampnegis, and redres sustenit thairthrow: And this decret to be inserit in the Officialis bukis of Glasgov, and the saidis parteis and cautionaris to be monisit to obserff the samyn: In vitnes of the quhilk thing athiris of the saidis parteis and jugis hes subscruit this decret with tharis handis, day, zer, and place forsaidis, befor thir vitnes, Johne Somervell of Carnethome, Thomas Ralstone of that Ilk, Villiame Wallace, Tutour of Cragy, Villiame Boyd of Baniecht, James Somervell, Persone of Libertone, Johne Lyndissay of Covyntone, Hev Mungumry [of] Hasled, Alexander Dunlop of that Ilk, Adam Mungumry, and Maister Andro Mungumry, Vicar of Stevartone, with oderis diuers.



Ja. Coluile of Vchiltre.
Patrik Maxwell of Newerk.
Jhon Lokart of Bar.

Erl of Eglinton.
Ro. Boyd in Kylmernok, with my hand on the pen.
Mungo Mwr of Rowallen, with my hand.

M. James Houstoun v^{t} my hand.
Colin Campbell of Ardkinglass.

Letters directed by Laurence, Bishop of Palæstrina, to the Archbishops of Glasgow and St. Andrews, for dispensing with the impediments to the marriage of Hugh Montgvmry and Marion Setoun, 21st June 1530.

119. Venerabilibus in Christo patribus, Dei gratia Glasguensi et Sanctiandree Archiepiscopis, vel eorum et cuiuslibet ipsorum in spiritualibus Vicariis seu Officialibus Generalibus, Laurentius miseratione diuina Episcopus Prenestinus, Salutem et sinceram in Domino charitatem: Sedis apostolice prouidentia circumspecta nonnunquam rigorem juris mansuetudine temperat, et, quod

sacrorum canonum prohibent instituta, de gratia benignitatis indulget, prout personarum et temporum qualitate pensata, id in Deo salubriter expedire cognoscit: Sane ex parte Hugonis Montgvmry, laici Glasguensis diocesis, et Mariote Setoune, mulieris Sanctiandree diocesis, nobis oblata petitio continebat, quod ipsi, ex certis rationabilibus causis, desiderant inuicem matrimonialiter copulari; sed quia tertio consanguinitatis gradu inuicem sunt coniuncti, desiderium eorum in hac parte adimplere non possunt, dispensatione apostolica super hoc non obtenta; quare supplicari fecerunt humiliter dicti exponentes eis super hiis per sedem eandem misericorditer prouideri: Nos igitur, eorum in hac parte supplicationibus inclinati, auctoritate domini pape, cuius penitentiarie curam gerimus, et de eius speciali et expresso mandato super hoc viue vocis oraculo nobis facto, circumspectioni vestre, et cuilibet vestrum committimus quatenus, si est ita cum ipsis exponentibus, quod impedimento consanguinitatis huiusmodi non obstante, libere valeant inter se matrimonium contrahere, et in eo postmodum licite remanere misericorditer dispensetis; dummodo dicta mulier propter hoc ab aliquo rapta non fuerit, prolem suscipiendam exinde legitimam decernentes: Datum Rome, apud Sanctumpetrum, sub sigillo officii Penitentiarie, xi kalendas Julii, Pontificatus domini Clementis Pape vii, anno septimo.

PROCESS of DISPENSATION by Gavin (Dunbar), Archbishop of Glasgow, in virtue of the above Letters, 30th January 1530.

120. UNIUERSIS et singulis sancte matris ecclesie filiis ad quorum notitias presentes littere peruenerint, Gauinus, miseratione diuina Archiepiscopus Glasguensis, judexque et executor ad infrascripta, vnacum quodam nostro in hac parte collega, cum clausula circumspectioni vestre et cuilibet vestrum committimus, etc., a sede apostolica specialiter deputatus, Salutem in omnium Saluatore: Et nostris huiusmodi ymmouerius apostolicis firmiter obedire mandatis, litteras reuerendissimi in Christo patris et domini, domini Laurentii, miseratione diuina Episcopi Prenestini, sacrosancte Romane ecclesie Cardinalis, ac serenissimi domini nostri pape maioris penitentiarii, dispensatorias, sigillo officii sacre penitentiarie apostolice cera rubea impresso, capsula ferrea oblonga circumdato, cum filis rubeis, more sacre penitentiarie apostolice, impendenti, sigillatas, sanas, siquidem et integras, non rasas, non abolitas, nec in aliqua sui parte suspectas, sed omni prorsus vicio et suspicione carentes, vt in eiis prima facie apparebat, nobis per nobilem virum, Hugonem Montgomery, laicum nostre Glasguensis diocesis, et nobilem etiam domicellam, Mariotam Setoune, mulierem Sanctiandree diocesis, principales in preinsertis literis apostolicis principaliter nominatos, et coram nobis propter hoc personaliter constitutos, coram notario publico et testibus infrascriptis presentatas, nos cum ea qua decuit reuerentia noueritis recipisse, huiusmodi sub tenore; Venerabilibus [*etc., ut in No.* 119 *supra*]. Post quarumquidem literarum apostolicarum dispensatoriarum presentationem et receptionem nobis et per nos ut premittitur factas, fuimus per dictos nobiles Hugonem, laicum, et Mariotam, mulierem, diocesium predictarum, principales in preinsertis literis principaliter nominatos, debita cum instantia requisiti, vt ad executionem earun-

dem litterarum et contentarum in eisdem, juxta traditam seu directam in eisdem nobis a sede apostolica predicta formam procedere curaremus; Nos igitur, Gauinus, Archiepiscopus, judex et executor prefatus, attendentes requisitionem huiusmodi fore iustam et rationi consonam, volentesque mandatum huiusmodi apostolicum reuerenter exequi, ut tenemur, de et super omnibus et singulis que in dictis litteris continentur, per fide dignos testes inquisuimus, et nos informauimus etiam diligenter de eisdem; et quia, per inquisitionem et informationem, ac testium depositiones huiusmodi, comprehendimus omnia et singula in prefatis reuerendissimi domini Cardinalis et Penitentiarii litteris narrata et exposita, ita fore et veritate fulciri, dictosque Hugonem et Mariotam in illo tertio gradu consanguinitatis in preinsertis literis expressato inuicem esse coniunctos; necnon ad dispensationem huiusmodi obtinendam habiles fore concepimus, et dictam Mariotam propter hoc raptam minime extetisse: Idcirco, auctoritate apostolica nobis commissa, et qua fungimur in hac parte, cum eisdem Hugone et Mariota, presentibus, et coram nobis personaliter constitutis, et ad huiusmodi dispensationem obtinendam flexis genibus prostratis; et huiusmodi dispensationem humiliter petentibus, et in eandem plane et expresse similiter et respectiue consentientibus; vt non obstante impedimento, quod tertio gradu consanguinitatis huiusmodi in ipsis literis preinsertis mentionato inuicem sint coniuncti, matrimonium inter se libere contrahere, et in eo postquam contractum fuerit licite remanere possint et valeant, auctoritate apostolica predicta nobis commissa, et qua fungimur in hac parte, gratiose duximus dispensandum, prout tenore presentium dispensamus; prolem inter eos suscipiendam legittimam decernendo: In quorum omnium et singulorem fidem et testimonium premissorum, presentes literas, siue hoc presens publicum instrumentum, processum dispensationis nostre huiusmodi in se continentes siue continens, exinde fieri, et per notarium publicum subscriptum, nostrum secretarium, subscribi et publicari mandauimus, sigillique nostri rotundi jussimus et fecimus appensione communiri: Datum et actum Edinburgi, Sanctiandree diocesis, in domo nostre solite residentie, sub anno Incarnationis Dominice millesimo quingentesimo trigesimo, die vero Lune, penultima mensis Januarii, indictione quarta, pontificatus prefati sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidentia Pape septimi, anno octauo: Presentibus ibidem, reuerendis in Christo patribus et dominis, Roberto Electo Confirmato Ecclesie Lismorensi, Jacobo permissione diuina Abbate Monasterii Beate Marie de Dryburgh, ordinis Premonstratensis, Sanctiandree diocesis; nobili domino, Niniano Domino Roossis; egregiisque, venerabilibus ac discretis viris, Magistris, viz., Gilberto Strathauchin, Canonico Aberdonensi, ac sedis apostolice Prothonatorio, Georgio Lokkert, Preposito de Creichtoune, sacre theologie Professore, Johanne Someruell de Cambusnathame, Roberto Steuard de Mynto, et domino Johanne Carinsis presbytero, cum diuersis aliis testibus ad premissa vocatis specialiterque rogatis.

Et ego Johannes Lauder, Artium Magister, clericus Sanctiandree ciuitatis, publicus sacris apostolica et imperiali auctoritatibus notarius, ac in officio scriptorum archiuii Romane curie matriculatus et descriptus; Quia, etc.

JOHANNES LAUDER, Notarius Publicus.

PRECEPT of SASINE by Hugh first Earl of Eglingtoune, for infefting Hugh Master of Eglingtoune, his grandson, and Marion Seytoun, Mistress of Borthuik, in the lands of Corslie, etc., 8th February 1530.

121. HUGO Comes de Eglingtoune, Dominus Montgumry, etc., dilectis nostris, Roberto Mungumry, ac eorum cuilibet, coniunctim et diuisim balliuis nostris in hac parte specialiter constitutis, Salutem: Quia, pro complemento contractus matrimonii inter Hugonem Montgumry, Magistrum de Eglingtoune, nostrum nepotem et apparentem heredem, et Mariotam Seytoune, Magistram de Borthuik, sororem nobilis domini, Georgei Domini Seytoune, dedimus et concessimus prefatis Hugoni et Mariote, sue sponse, et eorum alteri diucius viuenti, in coniuncta infeodatione, et heredibus masculis inter ipsos legitime procreandis; quibus deficientibus, nobis et heredibus nostris libere reuertendas, omnes et singulas terras nostras subscriptas; viz., quatuor marcatas terrarum dominicalium de Corslie, cum turre et fortalicio eiusdem; triginta tres solidatas et quatuor denariatas terrarum de Henryiscroft; triginta tres solidatas et quatuor denariatas terrarum de Hilend; quatuor marcatas terrarum de Gyffnok; quatuor marcatas terrarum de Braidbar; tresdecem solidatas et quatuor denariatas terrarum de Orchart; duas marcatas terrarum de Cleuch; triginta tres solidatas et quatuor denariatas terrarum de Byrkinschaw; viginti solidatas terrarum de Sclatis; triginta tres solidatas et quatuor denariatas terrarum de Ovirdauidland; viginti solidatas terrarum de Nethirdauidland; tresdecem solidatas et quatuor denariatas terrarum de Hoilhouss; tresdecem solidatas et quatuor denariatas terrarum de Brokellis; sexdecem solidatas et octo denariatas de Manys; sex solidatas et octo denariatas terrarum de Rokandmyll; triginta tres solidatas et quatuor denariatas terrarum de Lochcrag; et tresdecem solidatas et quatuor denariatas terrarum dimediatatis de Langlie, cum suis pertinentiis, jacentes infra vicecomitatum de Renfrew; prout in carta nostra dictis Hugoni et Mariote desuper confecta, plenius continetur: Vobis igitur, et vestrum cuilibet, precipimus et firmiter mandamus quatenus, visis presentibus, indilate statum, sasinam hereditariam pariter et possessionem corporalem omnium et singularum predictarum terrarum, cum turre et fortalicio antedictis, ac suis pertinentiis, prefatis Hugoni Montgumry et Mariote Seytoune, sue sponse, et eorum alteri diucius viuenti in coniuncta infeodatione, vel eorum certis actornatis, latoribus seu latori presentium, secundum tenorem dicte carte nostre, quam de nobis inde habent, juste deliberetis et haberi faciatis, sine dilatione; et hoc nullo modo omittatis: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim balliuis nostris in hac parte antedictis, nostram plenariam et irreuocabilem tenore presentium committimus potestatem: In cuius rei testimonium sigillum nostrum presentibus est appensum, vnacum nostre subscriptione manuali, apud Polnone, octauo die mensis Februarii, anno Domini millesimo quingentesimo tricesimo.

ERL OF EGLINTON.

OBLIGATION by Hugh Earl of Eglingtoune, to his son, Neil Montgomery of Langschaw, 25th August 1531.

122. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo trigesimo primo, die vero mensis Augusti vicesimo quinto, indictione quarta, pontificatusque sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidencia pape septimi, anno octauo: In nostrorum notariorum publicorum et testium subscriptorum presenciis personaliter constitutus Hugo Comes Eglingtoune, obligabat se soluere et dare Nigello Montgomery de Langschaw, filio suo, totum et quicquid ipse dictus Nigellus exposuerit seu dederit pro edificacione et reparacione domus et fortalicii de Stevartoun, interius et exterius, ac pro constructione domorum et hortorum dicti fortalicii; ad visum dicti domini Comitis et certorum artificum, ante deliberacionem dicti domus et fortalicii a dicto Nigello, si dictus Hugo, Comes, recipiat prefatum domum et fortalicium a dicto Nigello; secundum formam contractus inter prefatum dominum Hugonem, Comitem, et dictum Nigellum, facti: Super quibus omnibus et singulis sic premissis, dictus dominus Hugo, Comes, et Nigellus, a nobis notariis publicis subscriptis, sibi fieri petierunt unum aut plura, publicum seu publica, instrumentum aut instrumenta: Acta erant hec infra castrum de Ardrossane, hora secunda post merediem, vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, probis et discretis viris, Magistro Willelmo Mungumry, Jacobo Mungumry, Archibaldo Castellav, et Domino Roberto Montgomery, Rectore de Kilblane, cum diuersis aliis testibus.

Et ego vero Georgius Baxtar, presbyter Glasguensis diocesis, publicus sacra auctoritate apostolica notarius, Quia etc.

GEORGIUS BAXTAR, notarius publicus.

OBLIGATION by Neill Montegomery to the Lord of Eglingtone, his father, 25th August 1531.

123. BE it kend till all men be this present vrit, me Neill Montegomery, sone to my Lord of Eglingtone, bindis and obleisis me, that forsamekile as my Lord of Eglingtone, my fadir, hes lent me his hous and stryntht in the Stevartone, standand apone the Tempilland, to duell in tyll induring his vill, nocht wythstanding I obleis me that quhat tyme my fadir commandis, chargis or requiris me to deliuir till hyme or his seruandis the saidis hous and stryntht, apone xv dayis varning maid to me befor ane notar and vitnes personally apprehendit, or at my duelling place; that I and my seruandis, or ony oderis pretendand me, sall deliuir the sayd stryntht and place agane to my fadir, and denud my selff furtht of the samyn, my seruandis, or ony that me pertenis, and my geyr, wyth my gud will and plesour to my said fadir; na fra thinfurtht I sall nocht intromet nor be my assistance wyth nane profet gudis nor geyr pertenand to my fadir, bot at his gud will and plesour: And for the mair sikkirnes, keping and fulfilling of all thir punctis

abone vrittin, I bynd and obleis me be the faytht and treutht in to my body in forma speculatoris, sub penis periurii et inhabilitatis, et sub dictis penis camere apostolice eo facto incurrentibus: In vitnes of the quhilk thing I haue to hungyn my propir seill of armis to thir presentis, wyth the subscriptione of my hand vrit, at Ardrossan, the tuenty fif day of the monetht of August, the zeir of God ane thousand five hundretht and thretti ane zeir; befor thir vitnes, ane reuerend fadir in God, Robert Bischip of Ergyle, Schir Robert Montgomery, Persone of Kylblayne, Maistir Gilbert Corry, Vicar of Kylmodane, Maistir Villiame Montgomery, and Schir George Baxtar, capellane and publict notar, wyth oderis diuersis.

I NEYLL MONTGUMRY wyth my hand.

INSTRUMENT of RESIGNATION by Robert (Montgomery) Bishop of Lismore [Argyle], of the lands of Enochis, 5th February 1531.

124. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo trigesimo primo, mensis vero Februarii die quinto, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidencia pape septimi, anno nono: In mei notarii publici et testium subscriptorum presencia personaliter constitutus reuerendus in Christo pater, Robertus miseracione diuina Episcopus Lesmorensis, accessit ad personalem presenciam nobilis et potentis domini, Hugonis Comitis de Eglintoune, Domini Montgummery, sui patris; et ibidem, non vi aut metu ductus, nec errore lapsus, compulsus aut coactus, sed sua mera, pura et spontanea voluntate, vt asseruit, totas et integras illas suas quinque mercatas terrarum de Enochis antiqui extentus, cum suis pertinenciis, jacentes infra dominium de Eglishame et vicecomitatum de Renfrew, in manibus prefati nobilis domini, tanquam in manibus domini sui superioris earundem, personaliter per fustim et baculum, sursum reddidit, pureque et simpliciter resignauit; ac totum ius et clameum, proprietatem et possessionem, que in eisdem habuit seu habere potuit, pro se et heredibus suis, omnino quittumclamauit ad perpetuam remanentiam, cum dicto domino Comite, suis heredibus et successoribus, pro perpetuo remansuras: Super quibus omnibus et singulis dictus Hugo Comes de Eglingtoune, a me notario publico subscripto, sibi fieri petiit hoc presens publicum instrumentum, seu publica instrumenta, vnum vel plura: Acta erant hec in hospicio dicti domini Comitis infra burgum de Edinburgh, hora quarta post merediem, vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem discretis viris, viz., Jacobo Wallace de Crago, Magistro Andrea Montgummery, Vicario de Stewartoune, et Domino Roberto Montgummery, Rectore de Kilblaine, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Alexander Zoung, clericus Sanctiandree diocesis, publicus sacra apostolica auctoritate notarius, Quia, etc.

ALEXANDER ZOUNG.

The WALPYNSHAWING of Conynghame, held on the Burgh Muir of Irvin, 15th October 1532.

125. THE Valpynschavene of Conynghame, halden apone the borov mur of the burgh of Irvin, the xv day of the meneth of October, the zeir of God I^{M} V^{c} and xxxii zeris, be Hew Erle Eglingtone, ballie of Conyghame, eftir the tenour, forme, and effect of our souerane lordis letteris direct to the said ballie and his deputis.

Absent, Lovdone.

Evyr Loudone, Neddir Loudone, } Ilk persone in the said parochin absent.

The lard of Grougar and his tenandis absent.
The lard Rovallane and al his tenandis absent.
The lard of Pokelly and al his tenandis absent.
The lard of Lochrig and al his folkis absent
The tenandis of my lord Cassillis absent.
The tenandis of Georgis Humis nocht bodin.
The lard of Mungrenane and al his folkis absent.
The lard of Robertland and al his folkis absent.
The tenandis of Cassiltune absent.
The tenandis of the lordschip of Kilmernok absent.
The Lord Kilmaweris and all his folkis absent.
The lard of Busby Movat and al his folkis absent; and certane of his tenandis comperand nocht bodin.
The tenandis of Busby Glengernok absent.
The tenandis of Dregarne comperand nocht bodin.
The tenandis of Cherelandis absent.
The tenandis of Peristoun Conigam absent.
The tenandis of Peristone Berclay absent.
The tenandis of Peristone Blayr absent.
The tenandis of Drummvr.
The lard Comslie and al his folkis absent.
The tenandis of Bertanholme Conigam.
The tenandis of Sevin Akyrris Conigam.
The tenandis of Montfoid comperand nocht bodin.
The tenandis of Terbart comperand nocht bodin.
The tenandis of Portincors and the lard comperand nocht bodin.
The tenandis of Tarbeltone boudone.

The tenandis of Knokevart absent.
The tenandis of the Thrid part Conigam Glengernok absent.
The tenandis of Farnly Crevocht comperand nocht bodin.
The tenandis of Drummilene Conigam absent.
The lard of Cailburne comperand nocht bodin, and all his tenandis absent.
The tenandis of Cragly absent.
The tenandis of Killingcrag absent.
The tenandis of Haly Porterfeild absent.
The lard of Halkhirst comperand nocht bodin.
The lard of Hanganheucht absent and his tenandis.
The tenandis of Hanganheucht Glengernok absent.
The lard of Evir Kelsoland comperand nocht bodin, and all his tenandis absent.
The lard of Nedder Kelsoland and all his tenandis absent.
The lard of Knok and al his tenandis absent.
The tenandis of Conigam Skelmurly absent.
The tenandis of the Farnly absent.
The tenandis of Dunnyflattis comperand nocht bodin.
The lard of Glengernok and al his tenandis absent.
The lard of Kilbirny and al his tenandis absent.
The lard of Giffertland comperand and his tenandis nocht bodin.
The lard of Evir Lyn and his tenandis absent.
The lard of Petcone and his tenandis comperand nocht bodin efter the forme of the letteris.
The tenandis of Svynleis absent.
The lard of Blayr comperand and certane of his tenandis nocht bodin.
The lard of Haupland and his tenandis absent.
The lard of Auldhal Conigam and his tenandis absent.
The lard of Auldhal Clerk and his tenandis absent.
The lard of Auldhal Nevin and his tenandis comperand nocht bodin.
The tenandis of Dunlophil Mungumry comperand nocht bodin.
The lard of Dunlophil Conigan and his tenandis absent.
The lard of Akat Conigam and all his tenandis absent.
The tenandis of Akat Vallace absent.
The tenandis of the Vatterland.
The lard Conigamheid and al his tenandis absent.
The tenandis of Quhytsyd absent.
The tenandis of Badlane Conigan absent.

John Ballie comperand nocht bodin.
Andro Huntar comperand sufficiently bodin.
Dauid Berclay comperand bodin.
The lard of Braidly and his tenandis absent.
The tenandis of Ester Kyrkwod comperand nocht bodin.
The tenandis of Vester Kyrkuod and his tenandis absent.
The lard of Hunthal and al his tenandis absent.

GRANT by Patrick Earl Bothuile, Great Admiral of Scotland, to Hugh first Earl of Eglintoun, of the office of Admiral Depute within the bounds of Cuninghame, 18th August 1533.

126. BE it kend till all men be thir present letteris, ws Patrik Erle Bothuile, Lord Halis and Crechtoun, Gret Admirall of Scotland, etc., to haue maid, constitut and ordinit, and be thir present letteris makis, constitutis and ordinis ane noble and mychty lord, and our traist freind, Hew Erle of Eglintoun, Lord Montgomery, etc., and his assignais, ane or maa, our verray lauchfull and vndowtit admirall deputis within the boundis of Cunynghame; that is to say, betuix Kellyburn and the brig of Irwyn: Gevand, grantand, and committand to the said lord Erle, and his assignais forsaid, our admiral deputis, our verray full, fre, plane powar, speciale mandment and charge, all and sindry admirall courtis within the saidis boundis to set, hald, afferme, begin, and als oft as neid beis thame to continew; trespassouris to punyss, amerciamentis, vnlawis and eschaetis of the saidis courtis, and all vthirs dewiteis belangand to the said office to rais and vplift, and gif neid beis for the samyn to poynd and distrenze, the poyndis to gar appris, away leid, and sell, eftir the forme of law; with powar to mak substitutis, ane or maa, vnder thame in the said office of admiral deputary, for the quhilkis the said Erle salbe haldin to ansuer; and to gif licience to alienaris or strangearis to come vpoun land furth of thair schippis to sufficient nowmer for outredding and doing of thair lefull erandis; clerkis, seriandis, dempstaris, and all vthiris officiaris and membris of court, neidfull for halding of the said admiral courtis, to creat and mak be suorn; and generalie all vthir and sindry thingis to do, vse and exerce, that to the office of admirall deputary to sic thingis ordinit pertenis, or of law or consuetude is knawin necessar to perteine, or that we our self mycht do and we war present in proper persone: Ferme and stabill haldand and for to hald all and quhatsumeuir thing our forsaid admirall deputis, or ony ane of them, or thair substitutis, ane or maa, in the executioun of the said office lauchfullie ledis to be done: And thir our letteris of admirall deputary for the termes and space of nyntene zeris nixt eftir the day of the dait of the samyn in thair avne strength to indure, but ony reuocatioun or agane calling quhatsumeuir: In witnes of the quhilk thing to thir present letteris subscruit with our hand, our sele of armis is to hungin, at Edinburgh, the auchttene day of the moneth of August, the zeir of God ane thousand five hundreth and thretty thre zeris, befoir thir witnes, ane venerable clerk, Maister James

Hepburn, Dene of Dunkell, Williame Gourlay, Laird of Kenkrag, Master Williame Montgomery, and Adam Hepburn, with vtheris diuers.

INSTRUMENT of REVOCATION by King James V., of his grant of the lands of Litill Cumraye to Robert Symple, 12th November 1534.

127. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Dominice Incarnationis millesimo quingentesimo trigesimo quarto, mensis vero Nouembris die duodecima, indictione septima, pontificatusque sanctissimi in Cristo patris et domini nostri, domini Clementis diuina prouidentia pape septimi, anno nono: In mei notarii publici et testium infrascriptorum presentia personaliter constitutus illustrissimus et excellentissimus princeps, Jacobus Quintus Scotorum Rex modernus, ex certis causis rationabilibus animum suum ad hoc mouentibus, quibus melioribus modo, via, jure, forma pariterque et effectu quibus melius et efficatius potuit aut debuit, potestve aut debet, reuocauit, cassauit et adnullauit, tenoreque presentis publici instrumenti cassat, reuocat et adnullat donationem seu confirmationem terrarum de Litill Cumraye cum pertinentiis, jacentium infra vicecomitatum de Bwit, per eundem supremum dominum nostrum Regem prius donatarum, seu in feoda firma locatarum, honorabili viro, Roberto Symple, filio et heredi nobilis domini, Willelmi Domini Symple; et ratificauit et affirmauit donationem seu ad feodam firmam locationem huiusmodi terrarum prius factam Roberto Hunter de Hunterstoun, prout presentium tenore ratificat et affirmat: Super quibus omnibus et singulis prefatus supremus dominus noster Rex, necnon Johannes Hammyltoun de Cambuskeith, nomine et ex parte Roberti Hunter de Hunterstoun, pro suo interesse, a me notario publico ipsis fieri petierunt instrumentum publicum, vnum aut plura: Acta fuerunt hec in magna camera monasterii de Calco, hora septima post meridiem vel circiter, sub anno, mense, die, indictione et pontificatu prescriptis: Presentibus ibidem, nobili et potente domino, Malcolmo Domino Flemyng, Domino Georgio Clappertoun, Elemosinario supremi domini nostri Regis, Willelmo Wod, hostiario eiusdem, et Johanne Murre, barbitonsore eiusdem, cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Magister Alexander Kynninmond, Sanctiandree diocesis, sacra apostolica autoritate notarius, Quia, etc.

Mr. ALEX^{R} KYNNINMOND, no. pu.

INSTRUMENT of RESIGNATION by John Cunynghame of Caprintoun, of the office of Coroner of Cunyngham, in the hands of King James V., 14th July 1535.

128. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnationis Dominice millesimo quingentesimo trigesimo quinto, mensis vero Julii die decima quarta, indictione octaua, pontificatus sanctissimi in Cristo patris et domini nostri, domini Pauli diuina prouidencia pape tercii, anno primo: In mei notarii publici et testium infrascriptorum presentia personaliter constitutus honorabilis vir, Johannes Cunynghame de Caprintoun, ad personalem presentiam supremi domini nostri, Jacobi Quinti Dei gracia Scotorum Regis illustrissimi accessit, et ibidem, genibus flexis ad terram sedens, cum omni humilitate et reuerentia quibus ut melius potuit, in manibus sue maiestatis regie, totum et integrum suum officium coronatoris de omnibus et singulis terris infra limites et bondas de Cunyngham, tam in burgo quam per terras extra burgum, tam de spiritualibus quam temporalibus terris, cum feodis et le dewiteis ad idem pertinentibus, cum pertinenciis, jacentibus infra vicecomitatum de Are, pure et simpliciter, per fustim et baculum sursum reddidit, [et] resignauit, tanquam in manibus domini superioris eiusdem; jurique et clameo et titulo juris omne quod habuit, habet, vel quouismodo habere potuit, in vel ad idem in futurum, pro se et heredibus suis, penitus et omnino renuntiauit imperpetuum; et hoc in fauorem nobilis et prepotentis domini, Hugonis Comitis de Eglintoun, et Domini de Montgumry, et heredum suorum pro suo infeofamento regio sibi desuper et heredibus suis, in vberiori forma hereditarie conficiendo; et ad hoc non vi aut metu ductus, nec errore lapsus, dolo vel fraude circumventus, sed sua libera et spontanea voluntate, vtilitateque et commodo vndique preuisis et pensatis: Quaquidem resignacione dicti officii coronatoris cum pertinentiis, sic ut premittitur, facta et recepta per supremum dominum nostrum Regem predictum, idem prefatus supremus dominus noster Rex, statum et sasinam hereditariam, pariter et possessionem corporalem, tocius et integri dicti officii coronatoris de omnibus et singulis terris infra limites et bondas de Cunyngham, tam in burgo quam per terras extra burgum, tam de spiritualibus quam temporalibus terris, cum feodis et le dewiteis ad idem pertinentibus, cum pertinentiis, Hugoni Montgumry juniori, filio et heredi ac actornato et eo nomine dicti Hugonis Comitis de Eglintoun et Domini de Montgumry, inibi presenti et acceptanti, per huiusmodi fustis et baculi deliberationem, secundum tenorem carte sue regie sub magno suo sigillo desuper conficiende, dedit, exhibuit, contulit, pariter et deliberauit hereditarie cum effectu: De et super quibus omnibus et singulis dictus Hugo, actornatus et eo nomine quo supra, a me notario publico subscripto, sibi fieri petiit vnum seu plura, publicum aut publica, instrumentum vel instrumenta: Acta erant hec in camera regia, infra oppidum regium Striuelingensems ituata, hora quinta post meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem nobilibus et honorabilibus viris, Malcolmo Domino Flemyng, Colino Campbell de Ardkinglas, Henrico Kemp de Thomastoune, Johanne Carmichell juniore, capitaneo de Craufurd, Adam Montgumry, Patricio

Hume, et Magistro Jacobo Wilsoune, presbytero et notario publico, testibus cum multis aliis ad premissa vocatis pariter et rogatis.

Et ego Willelmus Litstar, presbyter Sanctiandree diocesis, publicus sacra auctoritate apostolica notarius, Quia supradicti officii coronatoris resignacioni, et sasine ac possessionis huiusmodi dacioni, ceterisque premissis, etc.

WILLELMUS LITSTAR.

COMMISSION of Vice-Regency by King James V. to the Archbishops of St. Andrews and Glasgow, the Earls of Huntlie, Montrose, and Eglintoun, and Lord Maxwell, 6th January 1536.

129. JACOBUS Dei gratia Rex Scotorum, Vniuersis et singulis ligeis et subditis nostris, clericis et laicis, ad quorum noticias presentes litere peruenerint, Salutem: Sciatis, quia pro nonnullis magnis et arduis causis animum nostrum ad hoc mouentibus, fecimus, constituimus et ordinauimus, ac per presentes facimus, constituimus et ordinamus reuerendissimos in Christo patres, nostrosque consanguineos et consiliarios dilectos, Jacobum Sanctiandree Archiepiscopum, totius regni nostri primatem et legatum natum; Gawinum Archiepiscopum Glasguensem, cancellarium nostrum; Georgium Comitem de Huntlie, Dominum Gordoun et Badzenach; Willelmum Comitem de Montrose, Dominum Grahame, et Hugonem Comitem de Eglingtoun, Dominum Montgomery; Robertum Dominum Maxwell, nostrarum marchiarum occidentalium Gardianum, nostros vicemgerentes et locumtenentes totius regni nostri infra omnes partes et bondas eiusdem: Dantes et concedentes dictis nostris vicemgerentibus et locumtenentibus, ac ipsorum quinque, quatuor, seu tribus eorum, coniunctim, prefato nostro Cancellario semper presente, casu quo ceteri interesse non poterint, justo aliquo prepediti impedimento, nostram plenariam potestatem et facultatem, ac mandatum speciale et generale, omnes et singulos ligeos et subditos nostros, infra predictum nostrum regnum ac omnes partes et bondas eiusdem, durante nostra voluntate, regendi, gubernandi et defendendi, ipsosque excitandi, et ad arma, quociens expedire videbitur, pro defensione regni et subditorum nostrorum, et resistentia contra quoscunque inimicos, rebelles et transgressores nostros, conuocandi, et iusticiam exequendi; statuta, regulas, proclamationes et ordinationes, pro bono regimine subditorum nostrorum, et obseruatione justicie, condendi, faciendi et statuendi; ipsorum quos violatores et incontrarium venientes, ac omnes et singulos vicecomites, gardianos, et alios judices et officiarios nostros temporales infra dictum nostrum regnum, in executione suorum officiorum seu alias delinquentes corrigendi, castigandi, et pro quantitate delictorum suorum, et secundum juris exigentiam puniendi; ambassiatores, nuncios et literas a quibuscunque exteris regibus, principibus, ciuitatibus et liberis gentibus, recipiendi, audiendi et respondendi, et ad eosdem nuncios ac literas, pro nobis et nomine nostro, prout eiis pro bono commodo et vtilitate regni ac ligeorum nostrorum expedire videbitur, mittendi et destinandi; literas salui conductus quibuscunque alienigenis, tam Anglie quam aliarum nationum, concedendi: preterea consider-

antes quod nostra in regno Francie existentia, et expectatio longiori mora quam nostro adventu ad huiusmodi, preposito nobis erat, pro bonis et honorabilibus causis prolongantur; damus etiam et concedimus per presentes prefato nostro cancellario nostram plenariam potestatem et mandatum speciale, cum consensu dictorum nostrorum vicemregentium, aut duorum eorundem, quascunque terrarum resignationes infra dictum nostrum regnum de nobis immediate tentarum, pro coniunctis infeodationibus ac aliis terrarum mutationibus seu excambiis nostrarum recipiendi et acceptandi, et per nostras cartas, sasinas et literas partibus iterum donandi et conferendi; confirmationes que super cartis inter dictos nostros ligeos debite confectis, ac nostras regressus literas, dandi et concedendi; necnon quascunque alias signaturas nostram casualitatem seu proprietatem concernentes, pro ipsarum nostro vsui importatione, que sub generali nostra reuocatione, ratione nostre minoris etatis, decurrere minime poterint subscribendi, huiusmodique signaturas per nostros thesaurarium et compotorum rotulatorem subscribendas et admittendas, veluti quavis vice infra nostrum regnum predictum, durante nostra presentia, factum fuerat; excepta concessione respectuationum seu remissionum, aut talliarum cartarum, vel juuenum personarum in suorum patrum terrarum feodo impositione ac beneficiorum dispositione, secundum nostre cancellarie formam expediri, faciendi; compositione prefatis nostris thesaurario et compotorum rotulatori respectiue, aut aliis ad id a nobis potestatem habentibus reseruata; et generaliter omnia alia et singula faciendi, gerendi et excercendi, que in premissis et circa premissa ad officium vicemgerentium et locumtenentium pertinent et spectant, et que de jure ac consuetudine nostri regni pertinere et spectare dinoscuntur: Ratum et gratum firmum atque stabile habentes et habituri id totum et quicquid dicti nostri vicegerentes et locumtenentes, ac ipsorum quinque, quatuor, seu tres eorum, conjunctim, prefato nostro cancellario semper ut premittitur stante casu predicto presente, rite duxerint faciendum: Quare vniuersis et singulis ligeis et subditis nostris, ac aliis quorum interest vel interesse poterit, stricte precipimus et mandamus quatenus predictis nostris vicemgerentibus et locumtenentibus, ac ipsorum quinque, quatuor, aut tribus eorundem, conjunctim, prenominato cancellario nostro, vt prefertur, semper presente, in omnibus et singulis sua officia vicemgerentium et locumtenentium prompte respondeant et pareant, et nostro nomine cum omni effectu intendant, ac cum eiis ad executionem suorum officiorum predictorum quociens opus fuerit, et per ipsos vel officiarios suos antedictos ad hoc requisiti fuerunt, consurgant et accedant, sub omni pena quam erga nostram regiam maiestatem incurrere poterint: In cuius rei testimonium presentibus, manu nostra subscriptis, magnum sigillum nostrum apponi fecimus, apud Parisiensem ciuitatem, sexto die mensis Januarii, anno Domini millesimo quingentesimo trigesimo sexto, et regni nostri vicesimo quarto.

DISCHARGE by William Master of Glencarn to Hugh first Earl of Eglingtoun, 8th February 1536.

0. BE it kennd till all men be thir present letteris, me Wylliam Cwnynghame, knycht, Maister of Glencarn, grantis me till haue tane and resauit fra the handis of ane noble and mychty lord, Hew Erle of Eglingtoun and Lord Montegomery, ane sufficient lettar of slaynnyss, mad in dewforme, for the slauchtyr of wmquhil Maister Mathou Montegomery, chaplann, bredir germane to Constantin Mungumry; off the quhilk lettar of slaynnis, maid in dewforme as said is, I hald me weil countennt and applesit, and the said Hew Erle Eglingtoun, his airis, executouris and assignais, for me, my airis, executouris and assignais, of the forsaid lettar of slaynis quitclamis and dischargis foreuir be the tenour of thir presentis: In witnes of the quhilk thing to thir my present letteris off discharg, subscriuit with my hand, my propre seill is to hungin, at Kylmauris, the viii day of the moneth of Februar, in the zere of God ane thousand fyif hundreth and thretty saxe zeris, befor thir vitnes, William Cunyngham, apperannd air of the Akat, Villiam Boil, Patrik Mowat, and Sir James Walcar, chaplain, with otheris diuerss.

WYLZEM MASTER of GLENCARN.

ORDER by James Coluile, Comptroller, to the Sheriff of Bute, 28th November 1536.

31. SCHIRREFF of BUTE: Ze sall ansuer and pay to my Lord of Eglintoun, twa chalder of aittis of this last zeir bigane, siclik as ze did to the Lard of Hunterstoun, for Litil Cumray. And als that ze pay till him vther twa chalder of aittis for this instant zeir, viz. of the crop of the zeir of God I.M V.C and xxxvi zeiris: And the saidis four chalder of aittis salbe thankfullie allowit to zow in zour nixt comptis, ze bringand this precept and the said Erllis acquittance of the ressait of the samyn; becaus I haif resauit xvi merkis of money for the saidis aittis: and one na wyse this ze leif vndone: for the quhilkis four chalder of aittis our Souerane Lordis letteris ar direckit to schireffis in that pairt for payment of the samyn: Subscriuit with my hand, at Edinburgh, the xxviii day of Nouember, the zeir of God I.M V.C and xxxvi zeiris: And giff ze failze hereintill, I haiff ordanit to put ze to the horne, for I haiff ressauit fra the said Erll payment as vse and wont is.

JA. COLUILE.

OBLIGATION by King James V. to ratify in his next Parliament, his charter to Hugh first Earl of Eglintoun, of the lands of Litill Cummoray, 11th June 1537.

REX.

32. WE in oure nixt parliament sall ratify, appreve and conferme the charter of fewferme maid be ws to our traist cousing and consaloure, Hew Erle of Eglintoun, Lord Montgomery, of oure landis of Litill Cummoray, liand within our schirefdome of Bute, for five merkis of few male zeirlie, quhair thai pait nevir ane penny of before; and heirto we bind and obliss ws in verbo

regio be thir presentis: Subscriuit with our hand, at Edinburgh, the xi day of Junii, and of our regnne the xxiiii zeir.

TESTAMENT of Andrew Crawford of Giffertland, 1st February 1542.

Dalry, Testamentum Andree Crauford de Giffertland.

133. CUM nichill sit certius morte, nec incertius hora eius, hinc est quod ego, Andreas Crauford de Giffertland, condo testamentum meum in hunc modum: In primis, do et lego animam meam Deo Omnipotenti et Beatissme Virgini Marie et omnibus sanctis, corpusque meum sepeliendum fore in ecclesia de Dalry; et iiii^{or} denarios fabrice ecclesie Glasguensi: Constituoque meos executores, viz., Agnetem Ross, meam sponsam, et Thomam Crauford de Byrkheid; ac etiam constituo nobilem et potentem dominum, Ninianum Dominum de Ross, et Johannem Blair de eodem, superiores eiusdem mei testamenti, in vna voce, vt ipsi disponant pro me prout volunt respondere coram summo judice.

Inuentarium omnium bonorum.

In primis, fatetur se habere xii equos et equas; Item, decem boues arabiles; Item, xxxvi vaccas fetas et steriles; Item, octo animalia etatis duorum annorum; Item, quinque animalia lie stirkis, etatis vnius anni; Item, sexaginta oues seniores et iuniores; Item, in tempore confectionis presentis testamenti, xxvi bollas farine in domo; Item, centum et octoginta bollas auenarum; Item, xii bollas ordei; Item, in deposito quincentas et octoginta marcas monete; Item, in vtensilibus et domiciliis ad valorem quinque librarum.

Debita que debentur ei.

In primis, Willelmus Wilsoun in Knokewart, quatuor marcas ix solidos; Item, Franciscus Russal, xxx solidos; Item, Archibaldus Pawtoun, tres libras xiii solidos iiii denarios; Item, Nicholaus Kile, quatuor bollas farine; Item, Johannes Reid et Johannes Blaketlie, quinque bollas farine; Item, Johannes Wily, vnam bollam farine; Item, Robertus Knok et Thomas Barcla, decem bollas farine, pro firma terre de Dieschell de croppo anni Domini millesimi quingentesimi et quadragesimi, et iidem Robertus et Thomas, decem bollas farine pro firma terre de Dieschel de croppo anni Domini millesimi quingentesimi quadragesimi primi; Item, Willelmus Tweid, fideiussor pro Johanne Kar de Carrisland, tres libras sex solidos monete ex mutuo; Item, in manibus domini de Kilbirny, vnam celdram farine restantem de firma terre de Nethirmanis, de croppo anni Domini millesimi quingentesimi.

Debita que debet aliis.

In primis, Bessete Crauford, mee filie, pro portione naturali, centum mercas; Item, Thome Crauford, meo filio, pro portione naturali, octoginta mercas.

Legatie eiusdem.

In primis, do et lego Johanni Crauford, meo filio heredi, octoginta mercas; Item, Bessete Crauford, mee filie bastarde, viginti mercas; Item, Jonete Crauford, mee filie bastarde, viginti mercas; Item, Andree Crauford, meo filio bastardo, viginti mercas; Item, domino Johanni Crauford, Vicario de Dalry, xl solidos; Item, Andree Wallace, xl solidos; Residuum vero omnium bonorum meorum do et lego Agneti Ross, mee sponse, et prolibus inter nos procreatis: et eandem Agnetem constituo et ordino intromissorem bonorum meorum, secludendo alios. Conditum fuit presens testamentum per os decedentis, subscriptum et confectum per me dominum Johannem Crauford, Vicarium de Dalry, apud mansionem de Giffertland, die primo mensis Februarii, anno Domini millesimo quingentesimo quadragesimo secundo; coram his testibus, Georgeo Synkler, Johanne Lokert, Johanne Hill, Roberto Gray, Johanne Myllar, Johanne Reid, Johanne Quhite, Thoma Wilsoun, cum aliis nonnullis. Teste manu propria.

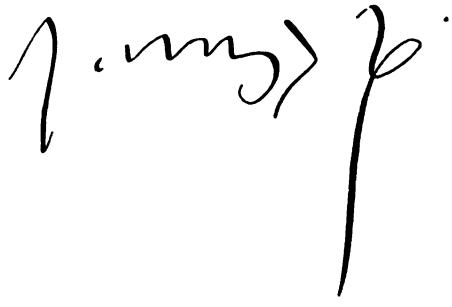
Ita est Dominus Johannes Crauford, Wicarius de Dalry, teste manu propria.

LICENCE by King James V. to William Montgomery of the Stane and others, dispensing with their attendance at the war, &c., on account of infirmity, 24th October 1542.

REX.

134. WE, vnderstanding that oure louittis, Maister William Montgomery of the Stane, and Robert Hunter of Hunterstoun, ar now vaik and tender of complectioun, and trublit with seiknes and infirmite, and may nocht travell without grete danger of thair lyvis: Thairfore, and for certaine vthiris ressonable caussis and considerationis moving ws, be the tennour heirof, of oure speciall grace, gevis and grantis licence to remane and byde at hame fra this oure oist and assemble, and fra all vthiris oure oistis, raidis, assembleis, weiris and wappinschewingis to be maid be ws or oure lieutennentis, within oure realme or vtouth, and dischargis thame thairof; and will and grantis that thai sall incur na skaith nor danger thairthrow in thair personis, landis, nor gudis, in ony wys in tyme cuming, nochtwithstanding ony oure actis, statutis, letteris, proclamationis, reuocationis, or chargis, speciall or generall, maid or to be maid in the contrare, or ony panis contenit thairintill; anent the quhilk we dispenss with thame be thir presentis: Dischargeing all oure lieutennentis, justices, justice clerkis, schireffis, stewartis, crownaris, baillies and all vtheris ouer officiaris, present and tocum, and thare deputis and schireffis in that part, of all calling, vnlawing, proceding, attaching, arreisting, trubling, or intrometting with the saidis Maister William Montgomery and Robert Hunter, thair landis or gudis tharefore, and of thair offices in that parte be thir presentis foreuir: Prouiding alwayis that the saidis Maister William and Robert send thair eldest sonnys, with thair men, tennentis, and seruandis, to this oure oist and weiris, and all vthiris oure oistis and weiris, to do ws seruice tharein: And als we, be the tennour heirof, gevis licence to Thomas Nevyn, seruand to oure cousing, Hew Erle of Eglintoun, to remane and byde at hame fra oure saidis oistis and weiris, and will that he incur na skaith

nor danger thairthrow, in his persoun, landis, nor gudis, as is abonewrittin: Subscriuit with oure hand, and gevin vnder oure signet at Edinburgh, the xxiiii day of October, and of our regnne the xxx zeir.



LETTERS of LEGITIMATION by Queen Mary, with consent of the Regent Arran, of Hugh Montgomery, natural son of Hugh Master of Eglintoune and others, 9th July 1543.

135. MARIA Dei gratia Regina Scotorum, Venerabili in Christo patri ac consiliario nostro dilecto, Johanni Abbati monasterii nostri de Pasleto, nostrique secreti sigilli custodi, Salutem: Quia ex nostra gratia et fauore speciali, cum avisamento, autoritate et consensu carissimi consanguinei nostri, Jacobi Arranie Comitis, Domini Hammiltoun, nostri tutoris, protectoris et regni nostri gubernatoris, dedimus, concessimus et commissimus personis subscriptis, bastardis filiis naturalibus personarum subspecificatarum respectiue, videlicet, Hugoni Montgomery, bastardo filio naturali Hugonis Magistri de Eglintoune, Wilelmo Montgomery, item bastardo filio naturali quondam Magistri Alexandri Montgomery, Michaeli Montgomery, Roberto Montgomery et Hugoni Montgomery, fratribus, etiam bastardis filiis naturalibus quondam reuerendi in Christo patris, Roberti Ergadie Episcopi, Roberto Montgomery, similiter bastardo filio naturali Mathei Mongomery in le Bar commorantis, et Alexandro Michaell, etiam bastardo filio naturali domini Johannis Michaell, capellani, et eorum cuilibet, plenariam potestatem, liberam facultatem et licentiam specialem, ut ipsi in toto tempore eorum vite, siue egri fuerint siue sani aut in tempore eorum mortis, libere et licite disponere valeant super omnibus et singulis eorum terris, hereditatibus, tenementis, annuis redditibus et possessionibus quibuscunque, vbicunque infra regnum nostrum existentibus, ac super omnibus et singulis eorum bonis mobilibus et immobilibus, habitis et habendis, cuicunque persone vel quibuscunque personis, prout eiis magis videbitur expediens, conueniens et oportunum; non obstante bastardia in qua geniti sunt et priuilegio iuris nobis super eschaetis bastardorum concesso; ac etiam prefatos filios naturales, ac eorum quemlibet ad omnimodos actus legitimos, in iudicio et extra iudicium, exercendos, iudicesque fore, ac in probatione et testimonio stare, dignitatibusque, priuilegiis, officiis, honoribus, hereditatibus, terris, redditibus, possessionibus, beneficiis et bonis gaudentes, in omnibus et per omnia, acsi de legitimo thoro procreati fuissent, legitimos fecimus, ac de nostre regie maiestatis plenitudine legitmauimus: Et si contigerit ipsos, aut

eorum aliquem, absque legitimis heredibus de eorum corporibus procreatis, vel absque legitima dispositione per ipsos de eorum terris et bonis antedictis in eorum vita facta, in fata decedere; nos, cum avisamento, autoritate et consensu dicti nostri tutoris et gubernatoris, ex nostra regia potestate et autoritate regali, volumus, concedimus ac, pro nobis et nostris successoribus, decernimus et ordinamus, quod dicti filii naturales, absque legitimis heredibus de eorum corporibus procreatis, et absque legitima dispositione per ipsos de predictis suis terris et bonis in eorum vita facta, decedentes, inuicem erunt heredes et succedent; et, illis omnibus deficientibus absque legitimis heredibus de eorum corporibus procreatis, et absque legitima dispositione (ut premittitur) decedentibus, quod eorum propinquiores agnati aut cognati, ex parte patris vel matris, erunt sui heredes et eiisdem in omnibus suis terris, redditibus, possessionibus et bonis hereditariis, habitis et habendis, succedent, et ad easdem, per breuia inquisitionis capelle nostre, introibunt; simili modo et adeo licite, virtute istius nostre legitimationis, acsi dicti filii naturales respectiue de legitimo thoro procreati fuissent, sive heredes de eorum corporibus legitime procreatos habuissent, aut super eorum terris et bonis antedictis in eorum vita disposuissent: Ac volumus et concedimus quod iudices et eorum deputati qui prefata nostra breuia deseruiunt, ac persone que super inquisitione in eorundem deseruitione progrediuntur, ob id minime citabuntur, vocabuntur, neque de voluntario et ignoranti errore accusabuntur, nec inde aliqua dampna seu pericula in eorum personis, terris et bonis incurrent; non obstante quod dicti filii naturales de illegitimo thoro procreati existunt, super quo cum ipsis penes hanc clausulam (legitimus et propinquior heres) dispensamus; ac exoneramus inde consilii nostri dominos et omnes alios iudices ac officiarios, presentes et futuros, eorumque deputatos omni vocatione, persecutione et accusatione dictorum iudicum et inquisitionis de voluntario aut ignoranti errore, namatione, perturbatione, et ob id intromissione cum ipsis eorum terris et bonis, et de eorum officiis in hac parte imperpetuum: exoneramus etiam ob id omnes nostros thesaurarios et aduocatos, presentes et futuros, aliosque quorum interest omni de leuatione et persecutione aliquarum summonitionum erroris aduersus predictos judices et inquisitionem, et de eorum officiis in hac parte imperpetuum: Et si contigerit heredes dictorum filiorum naturalium, aut eorum aliquem, de eorum corporibus legitime procreatos seu procreandos, absque legitimis heredibus de eorum corporibus procreatis in fata decedere, nos, cum avisamento et autoritate antedictis, volumus et concedimus, pro nobis et nostris successoribus, quod prefati heredes per breuia cancellarie nostre, tamquam legitimi heredes modo antedicto deseruientur, simili modo et adeo licite, virtute istius nostre legitimationis, acsi de legitimo thoro procreati fuissent, sine aliquo obstaculo, reuocatione, impedimento, clameo, questione, seu contradictione nostri aut successorum nostrorum, dictis filiis naturalibus, heredibus suis, seu eorum alicui, aut persone vel personis, cui vel quibus ipsos super eorum terris, tenementis, annuis redditibus, possessionibus et bonis antedictis, disponere contigerit; siue eorum heredibus, de eorum corporibus legitime procreatis seu procreandis, aut eorum propinquioribus agnatis vel cognatis, ex parte eorum patris vel matris, qui, deficientibus legitimis heredibus de eorum coporibus, aut dispositione (ut premissum est) in eorum

vita, eiis in terris suis, hereditatibus et bonis suprascriptis, succedere contigerit; prefato iuris priuilegio nobis super eschaetis bastardorum concesso, aliisve iuribus canonicis, ciuilibus, municipalibus, consuetudinibus, parliamentorum actis, constitutionibus, vel statutis quibuscunque incontrarium non obstantibus; renunciando eiisdem pro nobis et successoribus nostris imperpetuum: Vobis precipimus et mandamus quatenus preceptum nostrum, sub dicto nostro secreto sigillo, pro literis nostris legitimationis sub nostro magno sigillo dictis filiis naturalibus super premissis conficiendis, reuerendissimo in Christo patri ac consiliario nostro dilecto, Gawino Glasgwensi Archiepiscopo, nostro Cancellario, in forma capelle nostre debita, dirigatis: Datum sub signeto nostro apud Edinburgh, nono die mensis Julii, anno Domini millesimo quingentesimo quadragesimo tertio, et regni nostri anno primo.

Per signaturam manu gubernatoris antedicti subscriptam.

J. Gude.

Agreement by Hugh first Earl of Eglintoun, to receive the Teinds of certain lands, in lieu of £40, as his bailie fee of the Barony of Beyth, 20th October 1544.

136. Be it kend to all men be thir present letters, ws Hew Erle of Eglinton, Lord Muntgumery, &c., Forsamekle as ane venerable fader in God Alexander, be the permission of God, Abbot of Kylvinning, and his convent of the samyn, hes maid till ws and our airis ane chartour of few firm of the office of the bailzere of Kilvynning, and hes assignit zerlie to ws fourty pund of fee to be vptane of the landis and barony of Beyth, as the said chartor purportis in theself, Neuirtheles, we vill and grantis be the tennour of thir our letters, that we nor our airis sall nocht intromet nor vptak the said fourty pund for our feall of the said office of the landis and barony of Beyth, bot are content to intromet and vptak the teynd schaiffis vnder wrettin, vizt., Manis of Eglintoun, Brigend Eglintoun, Manis of Ardrossan, Busbe, litill Greithill, Knokzenocht, and Drummoster, in full and haill contentatioun of the said fourty punds; and gif it happynnes ws to be molestit and trubillit in the vp takin of the saidis teyndis, than, and in that cais, it sal be lesum to ws and our airis, to intromet and to vplift and vptak the said fourty pund of the saidis landis and barony of Beyth efter the tennor of the forsaid chartour: And herto we obliss us and our aires to fulfill and keip the premisses in all poynctis but fraud or gile: In witness herof we haif to hungin to thir presents, subscruit with our hand, our propir sele of armys, at Eglintoun the tuenty day of October, the zeir of God I^{M} V^{c} fourty four zeiris, befor thir vitnes Schir Nele Montgomery of Langschaw, Knyght, Henry Muntgumery of Scottistoun, Charles Mowet of Knokintebir, Robert Forgushill of that Ilk, and Master Johnn Layng, persoun of Kirkpatrick Juxta, Thomas Nevin of Monkridden, Schir Eumenides Henreson, chaplane, and Master Allan Hammyltoun, chaplane and notar publict, with vtheris diuers.

Hec est vera et principalis copia suprascripte obligationis inite inter suprascriptas personas, extracta de registro monasterii de Kylvynning, cum principali originali in omnibus

concordans sic quod nec sensus seu verba in hujusmodi sunt variata vere et integre copiata et collationata per me Johannem Mvr, notarium publicum, diocesis Glasguensis, meis nomine, subscriptione signeto propriis testantibus.

JOHANNES MVR, notarius publicus.

BOND of MANRENT by Duncan M^c^Farland (uncle to the Laird of Makfarlan), to Hugh Master of Eglintoun, 25th April 1545.

137. BE it kend till all men be thir present letteris, me Duncan M^c^Farland to be bund and oblist, and be the fayth and treuch in my body, bindis and oblissis me, lelely, treuly and faythfully, to becum man and seruand to ane honorable man, Hew Maister of Eglintoun and his airis, for all the dayis of my lyftyme, and sall do him the best seruice I can, quhen I am chargit and requirit thairto, bayth in heyland and in lawland; and sall nother heir his nor thairis skaythis, be nycht nor be day, bot I sall defend it at my power; and quhair I may nocht, I sall warn thame thairof; and howsone or quhat tyme the said Maister or his airis chargis or requiris me, I sall cum to the heyland on my awin expenssis, with my kyn, freindis and seruandis, and samony as will do for me; and siclik sall cum with my kin, freyndis, seruandis and samony as will do for me in the lawland to serf the said Maister and his airis, aganis quhatsumeuir persoun or personis, our souerane Lady and hir auctorite being allanerly exceptit: The said Maister licentand me to tak my sustentatioun on his inymeis in the lawland, or ellis to gif me my sustentatioun salang as he requiris me to remane in his seruice, and to convoy me to my strenth agane: And I sall caus Andro M^c^Farland and Robert M^c^Farland, my bredir, to cum to the said Maister, to Irwin, or ony vthir place he desiris thame to cum to, and gif thair bandis of manrent conforme to this band, within fiftene dayis nixt efter thai be requirit thairto: And heirto I bind and obliss me as said is to keip all and sindry the premissis, and hes gevin my bodely ayth thairto; and that for certane gratitud and gud deid done to me in my grete and vrgente necessite, quhen it stud me on my lyff, be the said Maister: In witnes heirof, becaus I culd nocht subscriue my self, I causit this notar vndir writtin to subscriue thir presentis for me, at the burgh of Irwin, the xxv day of Aprile, the zeir of God I^M^ V^c^ fourty and fyfe zeris, befor thir witness, Adam Montgumry of Murhous, Thomas Newene, Williame Kyle, and Schir Jhon M^c^Gachan notar publict, with vtheris diuers.

Ita est Johannes Makgaichane, notarius publicus, de mandato predicti Duncani M^c^Farlan, patrui Domini Makfarlan, ad premissa cum instantia dicti Duncani requisitus, meis signeto, et subscriptione ac nomine, testantibus manualibus.

J. MAKGAICHANE.

TESTAMENT of Hugh first Earl of Eglintoun, 23rd September 1545.

Testamentum nobilis et potentis domini, Hugonis Comitis de Eglintoune ac Domini Montgomery, etc., etc.

138. CUM nihill sit certius morte, nec mortis hora incertius, hinc est quod ego, Hugo Comes de Eglintoune ac Dominus Montgomery, eger corpore, sanus tamen mente, condo testamentum meum in hunc modum: Imprimis, do et lego animam meam Deo omnipotenti, beatissime virgini Marie, totique celesti curie; corpusque meum sepeliendum fore in choro monasterii de Kilwynning, apud meos parentes et predecessores: Item, lego fabrice ecclesie Sancti Kentigerni, viginti solidos; Et constituo meum vnicum executorem, Hugonem Muntgumry, meum heredem ad dispositionem omnium bonorum meorum; eidem committo sic quod ipse primo persoluat omnia mea debita que debeo et quibus obligor quam citius poterit; et quod specialiter recordetur Jacobi Muntgumry, fratris mei, et Ade Muntgumry, seruitoris mei, eisdem gratulando et faciendo pro suis benemeritis, amicitia, et seruitiis per eosdem mihi prestitis: Necnon ad causandum et conducendum tres presbyteros ad orandum pro salute anime mee, et illorum quibus non satisfeci pro damnis et iniuriis per me eisdem illatis, et hoc pro spatio quinque annorum proxime futurorum post meum decessum, et dictus meus executor persoluet vnicuique presbytero prout eisdem patet satisfacere.

Inuentarium omnium bonorum meorum.

Item, fateor me habere in auro in deposito, summam xxv centarum mercarum monete regni.

Legatia.

Item, lego fratribus minoribus de Ayr, pro spatio trium annorum, summam decem librarum, ad orandum pro salute anime mee, et sponse mee: Item, fratribus predicatoribus de Air, decem mercarum, pro spatio vnius anni: Item, fratribus minoribus de Glasgu, ad orandum pro salute anime mee, et sponse mee, decem librarum pro spatio vnius anni: Item, fratribus predicatoribus de Glasgu, decem mercarum: Item, lego fratribus carmelitarum de Irwyne, quinque librarum pro suffragiis, pro spatio vnius anni: Item, lego pauperibus erogandis die crastino post meum decessum, decem libras in elimosinam; necnon ordino dictum meum executorem ad recordandum in animo suo de meis seruitoribus indigentibus: Insuper, ordino ipsum ad causandum vnum obitum imperpetuum celebrare in monasterio de Kilwynning, et eundem fundandum pro salute anime mee, [et] sponse mee, prout conditum est pro salute animarum quondam Hugonis de Eglintoune, et Domini Alexandri Muntgumry, Domini eiusdem: Et idem Hugo, heres prefati Comitis, omnia et singula premissa, in presentia dicti Comitis, super se acceptauit, et fideliter perimplere promisit: Conditum fuit hoc testamentum per os decedentis, apud Eglintoune, xxiii Septembris, anno Domini millesimo quingentesimo quadragesimo quinto; presentibus, Dominis Joanne M^cGaichan, Joanne Dunlop, Joanne Michell, Thoma Newyne, Adam Muntgumry de Murehouss, Villelmo Snyp, Joanne Kippill, cum diuersis aliis.

Ita est, Johannes Mechell, capellanus, teste manu propria.

Nos Gauinus miseratione diuina Archiepiscopus Glasguensis, etc., hoc presens subscriptum testamentum et bonorum inuentarium dicti quondam nobilis et potentis domini, Hugonis quondam Comitis de Eglintoun, et quoad res bona, debita creditaque, pecuniarum summas et actiones, tam in eodem contenta et expressa, quam de eodem omissa, relicta, seu oblita, ac ad infra et extra, nobilemque et potentem dominum, Hugonem nunc Comitem de Eglintoun, executorem vnicum in eodem, per os defuncti nominatum, confirmamus, approbamus et, auctoritate nostra ordinaria, ratificamus: Intromissionem et dispositionem huiusmodi bonorum rerum, debitorum, creditorumque, pecunie summarum et actionum, tam in presenti testamento et bonorum inuentario contentorum, quam de eodem omissorum, seu quomodolibet oblitorum, prefato nobili et potenti Domino Hugoni, executori vnico, iuxta vltimam defuncti voluntatem, libere dando et committendo: Reseruato tamen nobis et successoribus nostris, compoto et ratiocinio de intromissionibus post lapsum diei et anni, vt moris est: In cuius rei fidem presentibus, manu secretarii nostri subscriptis, sigillum nostrum rotundum affigi jussimus et mandauimus, apud ciuitatem nostram Glasguensem, die duodecimo mensis Martii, anno Domini millesimo quingentesimo quadragesimo quinto, et nostre consecrationis anno vigesimo secundo.

Per dictum reuerendissimum dominum Archiepiscopum Glasguensem.

Hugo Curry.

Commission by Queen Mary to William Lord Sympyll and others, for serving Hugh Montgomery heir of Hugh Earl of Eglintoun, his grandfather, 3rd October 1545.

39. Maria Dei gracia Regina Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis quod, per supplicationem dilecti nostri consanguinei, Hugonis Montgomery, nepotis et heredis quondam consanguinei nostri, Hugonis Comitis de Eglingtoun et Domini Montgomery, nostri consilii dominis constat quod ipse inquisitionum breuia capelle nostre, tanquam heres dicto quondam suo auo, deseruiendus fore de omnibus terris, annuis redditibus, piscationibus, et officiis, de quibus ipse obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem nostras, leuare intendit; et quia hec contagiosa pestis adeo continuo in diuersis partibus et burgis vicecomitatuum et balliatuum nostrorum vbi dicte terre, annui redditus et piscationes jacent, regnat, predicta breuia viccomitibus viccomitatuum earundem commode dirigi non possunt; quapropter ipse, a prenominatis terris, annuis redditibus et aliis supradictis, differri vult, nisi celerius ad hoc remedium prouideatur; prout in dicta sua supplicatione et acto dictorum dominorum desuper confecto plenius continetur: Nos igitur, ex decreto et ordinatione eorundem nostri consilii dominorum, cum consensu consanguineorum nostrorum, Gilberti Comitis de Cassillis, balliui nostri de Carrik, Willelmi Domini Sympill, vicecomitis nostri de Renfrew, Hugonis Campbell de Lowdoun, vicecomitis nostri de Aire et balliui de Kyle, et Andre Hammyltoun, vicecomitis nostri de Linlithqw, ordinauimus dicta breuia in pretorio burgi nostri de Irwin quo populi confluentia absque suspicione huius pestis conuenire

poterit, deseruienda fore; et fecimus, constituimus et ordinauimus, ac facimus, constituimus et ordinamus per presentes dilectos nostros consanguineum Willelmum Dominum Sympill, Robertum Sympill, Magistrum eiusdem, Kentigernum Mure de Rowallane, Carolum Mowat de Busbye, Thomam Nevin de Monkreddin, Adamum Montgomery de Murehous, ac ipsorum quemlibet, coniunctim et diuisim vicecomitibus nostris de Aire, Renfrew, Linlithqw, balliuis nostris de Carrik, Kile, et Cunynghame, in hac parte, pro deseruitione dictorum breuium, et ad infrascripta duntaxat, videlicet, ad deseruiendum seu exequendum breuia inquisitionum capelle impetrata seu impetranda super omnibus et singulis terris, annuis redditibus, piscationibus et officiis, sibi Hugoni Montgomery, per decessum memorati quondam Hugonis Comitis de Eglingtoun, sui aui, pertinentibus, infra vicecomitatus et balliatus nostros supradictos, vt premittitur, jacentibus: Dantes et concedentes prefatis nostris vicecomitibus et balliuis in hac parte, ac eorum cuilibet, coniunctim et diuisim, nostram plenariam potestatem ac mandatum speciale; curiam seu curias vicecomitatuum et balliatuum nostrorum de Aire, Renfrew, Linlithqw, Carrik, Kile et Cunynghame, in hac parte, in dicto pretorio burgi nostri de Irwin, statuendi, inchoandi, affirmandi, pro deseruitione dictorum breuium, et tenendi ac quocies opus fuerit continuandi; dictaque breuia recipiendi, aperiendi, et apud cruces forales principalium burgorum vicecomitatuum et balliatuum nostrorum, vbi prelibate terre et annui redditus jacent, proclamari faciendi; et eadem in dicto pretorio burgi nostri de Irwin, debite deseruiri faciendi; ac probos et fideles homines patrie ad sufficientem numerum personarum minime suspectarum, sub pena viginti librarum de qualibet persona non comparente, ad accedendum super deseruitione dictorum breuium summonendi, premuniendi et jurari faciendi; et per ipsos probos et fideles, super punctis et articulis in dictis breuibus contentis, determinari et deliberari faciendi, ac deliberationem earundem, vt moris est capelle nostre, retornandi; necnon clericum, seriandum, indicatores et omnes alios officiarios et curie membra necessarios, creandi, ordinandi et jurari similiter faciendi; et generaliter omnia alia et singula faciendi, gerendi, et exercendi, que in premissis et circa ea necessaria fuerint, seu quoque modo oportuna . . . Et supradictum pretorium burgi nostri de Irwin adeo legitimum et validum pro premissis, sicut pretoria principalia vicecomitatuum et balliatuum, vbi predicte terre, annui redditus jacent, admittendo et decernendo, cum quo per presentes desuper dispensamus: Datum sub testimonio nostri magni sigilli apud Linlithqw, tercio die mensis Octobris, anno Domini millesimo quingentesimo quadragesimo quinto, et regni nostri tercio.

Per actum dominorum consilii.

Apud Linlithqw, quinto die mensis Octobris, anno Domini millesimo quingentesimo quadragesimo quinto.

In presentia reuerendissimi in Christo patris et domini, Dauidis miseratione diuini Archiepiscopi Sancti Andree Cardinalis, etc., Cancellarii Scotie, ceterorumque dominorum consilii supreme domine nostre Regine ibidem existentium, comparuerunt nobilis et potens dominus, honorabilesque viri, Willelmus Dominus Sympile, Kentigernus Mure de Rovellane, Karolus

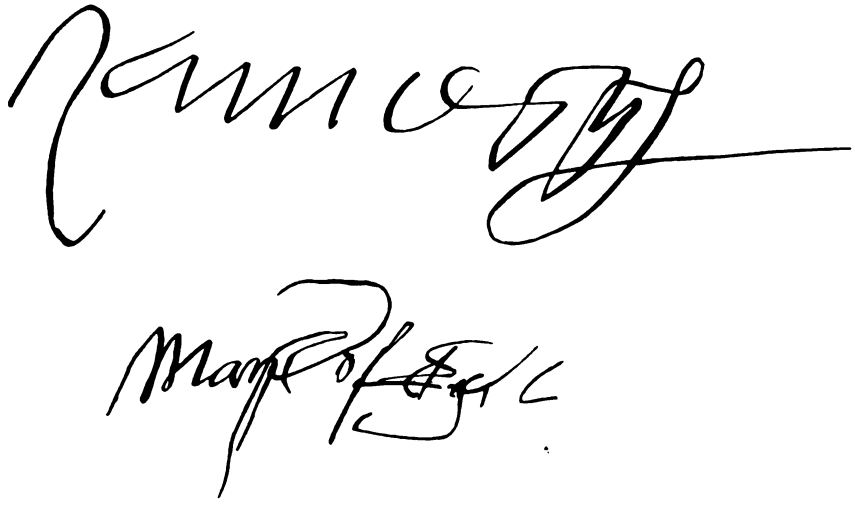
Mowat de Busby, Thomas Nevin de Monkreddin, et Adam Mungumry de Murehouss, et jurauerunt, et quilibet eorum pro se suum corporale prestitit juramentum, tactis sacrosantis Dei euangeliis, de fideli et debita administratione in officiis vicecomitatuum de Air, Renfrew, Lynlythqw, balliuorum de Carrik, Kile et Cvnyghame, penes deseruitionem breuis seu breuium leuati seu leuandorum, ut in presente commissione continetur; et hoc secundum formam et tenorem eiusdem, et articulos in eadem contentos, ut inferius scribitur: Super quibus omnibus et singulis premissis, Hugo Mungumry, presentium impetrator, petiit instrumentum et instrumenta: Acta erant hec in palatio de Lynlythqw, hora quarta post meridiem vel eocirca: Presentibus ibidem, Magistro Jacobo Foulis de Colintoune, clerico registri, Magistro Henrico Lauder, aduocato regio, Hugone Rig de Carbarry, et Johanne Wallace, notario publico, cum diuersis aliis.

JACOBUS SCOTT, scriba consilii, ac notarius in premissis.

CONTRACT between James Earl of Arran, Regent of Scotland, and Hugh second Earl of Eglintoun, for the marriage of the Master of Eglintoun with a daughter of the Regent, 18th October 1545.

140. AT Irwin, the xviii day of October, the zere of God I^{M} V^{c} and fourty-five zeris: It is appoyntit and aggreit betuix ane noble and mychti prince, James Erll of Arrane, Lord Hammyltoun, Protectour and Gouernour of Scotland, for him self, and in the name and behalf of Hammyltoun, his lauchfull dochter, on that ane parte, and Hew Erll of Eglintoun, Lord Montgomery, for him self, and in the name and behalf of Montgomery, his sone and apperand air, on that vther pairt, in forme and effect as efter followis, that is to say; the said sall, God willing, mary and haif to his spousit wife the said , and sall solompnizate and compleit the band of matrimony with hir in face of halikirk, with all solempniteis pertenyng thairto, howsone thai cum to perfit aige: For the quhilk my said lord gouernour be the tenour heirof bindis and oblisis him faithfulli, his airis, executouris and assignais, to content, pay and thankfullie deliuer to the said Hew Erll of Eglintoun, his airis, executouris and assignais, the sovme four thowsand merkis, in name of tochir, at the termis following, that is to say, the sovme of tua thowsand merkis at the completing of the said marriage, and the vther tua thowsand merkis within the space of ane zere nixt and immediatlie thairefter: And als the said Hew Erll of Eglintoun bindis and oblisis him faithfullie, that incontinent efter the completing of the said mariage, he sall resigne be himself, or his procuratouris lauchfullie to be constitut be him thairto, samekil of his landis liand within the baronry of Eglishame and schirefdom of Renfrew, as will extend zeirlie to the sovme of thre hundreth merkis of money be zeir, in the handis of our souerane lady, for infeftment to be gevin therof be hir hienes to the saidis , and to the langer levand of thame in coniunctfeftment, and to the airis lauchfullie to be gottin betuix thame: And in cais the

saidis or ony of thame inlaik (as God forbid thai do), my said lord Gouernour, and the said Hew Erll of Eglintoun sall ather of thame contract with vtheris, and the said Erll of Eglintonis nixt eldest sone that succedis to him, failzeand of the said be deces, sall mary and compleit matrimony with ony vther of my said lord Gouernouris lauchfull dochteris that he now hes or happinnis to get; and safurth failzeing of ony of thame be deces, to contract with vtheris salang as ony of thame hes ane sone or dochter to mary with vtheris: And to thair observing and fulfilling of all and sindry the premissis, bayth the saidis parteis hes subscriuit this present contract with thair handis, day, zer, and place foirsaidis, befoir thir witness



Service of Hugh Montgomery, grandson of Hugh first Earl of Eglintoun, as heir to him in the Bailiery of Kilwinning, 4th December 1545.

141. Hec Inquisitio facta fuit in pretorio regalitatis de Kylwynning, coram honorabilibus viris, Patricio Hammyltoun de Bogsyde, et Hugone Muntgumery in Smythstoune, vicecomitibus ac balliuis in hac parte regalitatis de Kylwynning, per commissionem venerabilis in Christo patris, Alexandri permissione diuina Abbatis Monasterii de Kylwynning et eiusdem loci conuentus, coniunctim et diuisim, specialiter constitutis, quarto die mensis Decembris, anno Domini millesimo V^co^ quadragesimo quinto, per istos nobiles et honorabiles viros subscriptos, videlicet, Nigellum Muntgumry de Langschaw, militem, Carolum Mowat de Busbye, Robertum Fergushill de eodem, Robertum Blayre de Kirkland Dalry, Thomam Newyne de Monkreddin, Constantinum Muntgumry in Sewinacris, Archibaldum Dunlop de Achinskeyth, Joannem Craufurde de Giffartland, Joannem Craufurde de Birkheid, Villelmum Cleland, Villelmum Boyde in Achintebir, Alexandrum Herwy

in Braidlye, Joannem Dunlop in Guislone, Hugonem Millar, Joannem War in Wodsyde, Joannem Millar et Brycinem Reid in Pottertoune: Qui jurati dicunt, quod quondam Hugo Comes de Eglintoune, Dominus Montgomery, balliuus dicte regalitatis de Kylwynning, etc., auus Hugonis Muntgumry, latoris presentium, obiit vltimo vestitus et saisitus vt de feodo, ad pacem et fidem supreme domine nostre Regine, de omnibus et singulis officiis justiciarie, camerarie et balliatus omnium et singularum terrarum dicti monasterii de Kylwynning, Beith, Kilmarnok, Lyandcorss, et Dalry, ac omnium aliarum et singularum terrarum eiusdem monasterii vbicunque infra regnum Scotie existentium et jacentium, cum omnibus et singulis feodis, deuoriis et pertinentiis ad dicta officia spectantibus et pertinentibus, jacentium infra dictam regalitatem de Kylwynning, vnacum seruitiis omnium et singulorum tenentium tam liberorum quam aliorum inhabitantium terras predictas de Kylwynning, in equitationibus, exercitibus et seruitiis supreme domine nostre Regine aut Principis, ac similiter dictique Comitis et suorum heredum et deputatorum, suorum balliuorum pro tempore; necnon de quarta libris monete annuatim percipiendis de terris et baronia de Beith, prefato quondam Comiti et suis heredibus, assignatis per prefatum Abbatem et conuentum, pro eorum laboribus in prefato balliatus officio, vsu et fructione, jacentibus infra regalitatem predictam: Et quod dictus Hugo Muntgumery, lator presentium, est legitimus et propinquior heres eiusdem quondam Hugonis Comitis de Eglintoune, balliui regalitatis de Kylwynning, etc., sui aui, de omnibus et singulis prenominatis officiis, cum omnibus et singulis feodis, deuoriis et pertinentiis predictis ad dicta officia spectantibus, vnacum seruitiis predictis tam liberorum quam aliorum tenentium dictas terras dicte regalitatis de Kylwynning possidentium, et annuo redditu predicto, cum pertinentiis: Et quod est legitime etatis: Et quod dicta officia Justiciarie, camerarie et balliatus omnium et singularum terrarum dicti monasterii de Kylwynning, Beith, Kylmarnok, Liandcorss, et Dalry, et omnium aliarum et singularum terrarum eiusdem monasterii vbicunque infra regnum Scotie existentium et jacentium, cum omnibus et singulis feodis, deuoriis et pertinentiis ad dicta officia spectantibus et pertinentibus, vnacum seruitiis liberorum et aliorum tenentium, vt predicitur, et annuo redditu predicto, valent nunc per annum quarta libris monete vsualis regni Scotie, et tanto valuerunt tempore pacis: Et quod tenentur in capite de prefatis Abbate et conuentu, et eorum successoribus, in feudifirma et hereditate; reddendo eisdem vnum denarium argenteum annuatim, super solum dictarum terrarum, in festo Pentichostes nomine feudifirme, si petatur tantum: Et quod dicta officia, etc., vnacum annuo redditu predicto, nunc existunt in manibus eiusdem abbatis et conuentus de Kylwynning per decessum dicti quondam Hugonis, aui sui, ratione non introitus, per spatium nouem hebdomadarum aut eacirca, in defectu prefati Hugonis latoris presentium veri heredis jus suum hucusque minime prosequentis: Datum et hoc breui intus clauso sub sigillis prefatorum Patricii et Hugonis, vicecomitum et balliuorum predictorum, ac etiam sigillis eorundem qui dicte inquisitioni intererant, die et loco prenominatis.

BOND of MANRENT by Charles Mowat of Knokintebyr, to Hugh Earl of Eglinton, 20th February 1545.

142. BE it kend till all men be thir present letteris, me Charlis Mowat of Knokintebyr, grantis me and myne ayires to be bundin and oblist, and be the tenour herof bindis me and myne ayres, and alsua bindis and oblisis me and thame, in the maist sikker form and stile of obligatione of manrent, be the faith and treuth in our bodyis, for to becumme men and serwandis, and be the tenour herof becummis men and serwandis, for all the dais, termes, and zeris of myne and thairis liftymes, till ane nobill and potent lord, Hewe Erle of Eglinton, Lord Montgumrye, and to his ayiris, to be his and thairis men and serwandis, for his gud deid, lordschipe, fauores and kyndnes and reward done to me and myne ayris. For the quhilk manrent and serwice, the said Hew Erle of Eglintone has geiffin to me and myne ayirs his chartour and infeftment to me and myne ayires of the twaye merk land and tenschilling land of the Wuyrsyd of the Halbarnis, auld extent, with the pertinentis, liand witin the lordschip of Roberton, ballere of Cunyngham, and schirefdom of Ayre, witht reserwation of dowiteis and multuris vsed and wont to the said Hew Erle of Eglintonis mill; lik as in my chartour and infeftment, maid to me and myne ayires be the said Hew, Erle, mair fullie is contenit; for gud serwice don and to be don be me, the said Charlis, and myn ayres mail, to the said Hewe Erle of Eglinton and his ayires, induring our lyftimes, as said is: And sall ryid and gange wit ye said Hewe, Erle, or his ayires, quhen we ar requirit tharto; and oblisis me and myne ayres to the said Hewe, Erle, and his ayires, be the faith and truth in our bodyis, to be leill and trewe men and serwandis till the said Hewe, Erle, and his ayires, induring all the dais of our lyftimes: And I nor thai sall neuer wit, heir, nor se his nor his ayeres skaithit to his or thair bothyis, honouris, benefice, heretaige, guddis, speciall frendis, kinnismen and seruandis, standand in the said Erles and his ayires fauores, be neycht nor daye, bot I or thai sall warn him or thame tharof, and lat it at all our gudle power: And I and thai sall geif him and thame, his ayires, the best consell we can, and conceill his concell and his ayires, that he or thai schawis to me or myne ayires forsaidis: And sall tak afauld part with him and his ayires, in weir and peice, with our kinnismen, serwandis and tenandis, and all that we maye gudlie steire; and salbe reddye witht our houssis, bigginis, and serwandis, to ressaue the said Hewe, Erle, and his ayires quhen he or thai requiris or chargis ws tharto; and sall tak afauld part with him and his ayires in all and sindre his and thair actiones, querelis and debaittis, mowit or to be mowit, aganis all deidlie persones, our souerane Ladye the Quenys autorite exceppit alanerle: And geif it sall happin, as God forbed it do, that I the said Charlis or myne ayires falzis in ony punctis abon specifeit, to the said Hewe, Erle, or his ayires, or in our serwice, or laute, or kyndnes, it beand notarly knawin befor ane juge; then and in that cais, I the said Charlis and myne ayires, bindis and oblisis ws, in the straitest form and stile of obligation that can be devisit be wit of men, till renunce, ouergeif and resign all richt, titill of richt, or

clam, properte and possession, that we had, hes, or ma haife in and to the forsaid twaye merk land, ten schillinge land of the Wuyrsid of the Halbarnis, auld extent, with the pertinentis, in the handis of the said Hewe, Erle, and his ayires, with power to the said Hewe, Erle, and his ayires, to intromet with the said landis, and dispone and wptak the fruitis and awailles tharof, without ony mair proces of lawe; and sall content and paye to the said Hewe, Erle, and his ayires, the sowm of fif hundreth pundis monye of the realme, for costis, skaithtes and dampnaig he sustenit tharthrowe, geif sabes or happinis, as said is: And to the obserwinge, keping and fullfilling of all and sindry the premissis in all punctis abone specifeit, I, the said Charlys, bindis and oblisis me and myne ayris forsaidis, lelile, treulie and faithfullc, be the faith and treuth in our bodyis, for all the dayis of our lyftymes, as said is, to the said Hewe Erle of Eglinton, and his ayires, wndir the panys abon specifeit, and hes geffin mye bothelc aitht herapon, the halye ewangelest tuchit; and myne ayires siklik sall geif thair bothyle aithtis als oft as thai entir to the saidis landis, the hale ewangelist tuichit: In witnes herof I haue to hungin mye proper seill of armes to thir presentis, togidder with the subscription of mye hand manuall, at the burgh of Irwin, the twentye daye of the moneth of Februar, in the zer of God ane thousand fif hundreth and fourtye fif zeris, befor thir witnes, Thomas Newin of Monkredding, Patrik Montgumry, Hewe Culper, and Schir Jhon M:Gathan, Persoun of Newton and publict notar, with wtheris diuers.

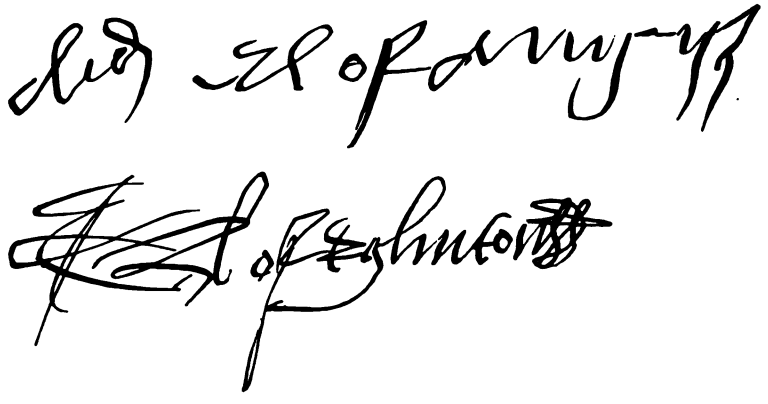
Charlis Mowat of Knokintebyr, wyth my hand.

Bond of Mutual Defence between Archibald Earl of Angus and Hugh second Earl of Eglintoun, etc., 12th April 1546.

143. At Irvin, the tuclff day of Aprile, the zeir of God ane thousand fife hundretht and fourty sax zeris: It is appunctuat, contrackit, aggreit, and finalie concordit betuex honorable parteis vnder vrittin, thai ar to say, noble and potent lordis, Archibald Erle Angus, Lord Douglas, &c. his air, and George Douglas of Petindrech, broder germane to the said Erle, and his air, on that ane part, and ane noble and potent lord, Hev Erle of Eglintoun, Lord Montgumrie, &c. his air, and Schir Neile Montgumrie of Langschav, knycht, fader broder to the said Erle, and his air, on the tother part; in maner, forme, and affect as eftir followis, that is to say: Forsamekile as for kepeyng of kyndnes, fauouris, vnite, concorde and amite in all tymes tocum, to be had and obseruit betuex the said noble and potent lord, Archibald Erle of Angus, his air, and George Douglas, his air, thair kyn, freyndis, seruandis, assistaris, allya, parttakaris and adherentes, and the saidis noble and potent lord, Hew Erle of Eglintoun, his air, Schir Neile Montgumrye, his air, and thair kyn, freyndis, seruandis, allya, assistaris, parttakaris and adherentes; baicht the saidis noble and potent lordis, for thame and thair airis respectiue, as said is, and siclik the said George and Schir Neile, for thame self and airis respectiue, byndis and oblisis thame, be the fayth and treutht in thair bodeis, the haly ewangell tuechit, onder the pane of periure, infamite and inhabilite, in the

sickerast forme and stile of obligatioun that men of law can devise, equalie to stand in fauouris and kyndnes, and tak vtheris ane fald plane part, and assist, concure and part tak ilkane with vtheris, with tharis kynnys, freyndis, seruandis, assistaris, allya, parttakaris and adherentes, in all and sindre thairis actiones, causis, querelles, debatis, contrauersiis, at ather of the saidis parteis, or ony ane of thame, hes or ma haue in all tymes tocum as said is, aganis all deidlie in thair premissis, the auctorite of our souerane lady, the Quenys grace, my lord Gouernour, and hir successoris, allanerlie beand exceptit: And als the saidis parteis nor nane of thame, for thame and thair forsadis, sall nocht tak nor intromett vyth the rovmes, steddynings, possessiones, takkis or landis at partenis to athir of thame, thair kyn, freyndis, seruandis, assistaris, allya, parttakaris and adherentes, bot sall debait and manteyne vtheris respectiue thairin at thair vther pover: And sall thankfullye resaue vtheris vicissim, in cays of neid or honest repare, in thair castellis, towris, fortaleis and rovmes, and sall defend vtheris thairin sa lang it sall happin thame remane thair: And ferther, for perpetuall concord tobe hald, in all tymes tocum, in cais of ony variance or discord sall happin to fall (as God forbeid it do), betuex the saidis Erles, George, and Schir Neile, and thair forsaidis, kynnismen, freyndis, seruandis, assistaris, allya, parttakaris and adherentes; the saidis noble and potent lordis, George, and Schir Neile, or thair airis forsaidis, sall concure in ane conuenient place, and sall call the failzearis thairin befoir thame, and sall sycht the samyn as thai think expedient, and mak reformatioun; and in cais gif ony of thair kyndismen, freyndis, seruandis, assistaris, allya, parttakaris and adherentes vull nocht abyid at thair decreit and ordinent gevin be thame, than and on that cais, the saidis lordis, George and Schir Neile, or thair forsaidis, sall concure and parttak contrar the failzear, and sall nocht maynteyne and defend him in nane of his querelles nor actiones: And in cais athir of the saidis parteis, or thair forsaidis airis, as said is, falze and cum in the contrar of thir premissis, in haill or in part, be thame self or thair foirsadis, than and in that cais the party brekand bindis and oblisis thame and thair foirsadis to content and pay to the party keping, or thair forsaidis, the sovme of fif thousand pundis mony of this realme, vithin fourty dais eftir the samyne failzeand and brek be notourlie knavin, or sufficientlie provin befoir ane compotent juge, and vder fif thousand pundis to the Quenis grace and hir successoris, and the thrid fiv thousand pund to the raparing of Sanct Mungois vork; and that for costis, skathes, dampnage, interes and sovmes of mony debursit be athir of the parteis, but reclamacione or appellacione quhatsumeuir befoir ony juge or jugis, spirituall or temporall, in tymes cummyng: In vitnes of the quhilk athir of the saidis parteis, for thame self and thair foirsadis, hes subscrevit this present contract and band of mantenance vyth thair handis, and in mair verificatioun heirof hes causit thir notaris vnder vrittin to subscreve the samin, day, zeir and place abone vrittin: And is content that this present contract be insert in the Officialis bukis of Glesgw and Counsall, and haif the strentht of ane decreit of the Lordis of Counsall, and letteris direckit thairupone, gif neid beis, and to be monist vicissim vnder the panes of cursene, for obseruing and keping of the samyn in all pointis abone vrittin; befoir thir vitnes, Villiame Erle of Glencarne, Gilbert Erle of Cassillis, George Lord Setone, Alexander Lord

Alphestone, Robert Master Symple, Robert Master Boyd, James Douglas of Drumlanrig, Villiame Coninghame of Coninghameheid, and George Mungumry of Skelmurlie.



George Douglas. Sr Neyll Montgumry of Langschaw, Knyt.

Ita est Dauid Gibsone, notarius, de mandatis dictarum partium, manu propria.

Ita est Joannes Scott, notarius publicus in premissis, de mandatis prefatorum partium, testantibus signo et subscriptione propriis.

Die xiio Aprilis, anno xlvio: Judex, videlicet, Magister Dauid Gibsone, commissarius in hac parte domini Officialis Glasguensis specialiter deputatus, monuit nobiles et potentes dominos, Archibaldum Comitem de Angus et Dominum Douglas, renunciandum jurisdictioni eiusdem, et cuiuscunque alterius jurisdictionis, et se submittendum jurisdictioni Auditorum Glasguensium in hoc casu; et Hugonem Comitem de Eglintoun et Dominum Montgumry, Nigellum de Montgumry militem, Georgium Douglas de Pedindrecht, similiter renunciandos sue jurisdictioni Officialitus Sanctiandree et alterius cuiuscunque, et se submittendos nostre jurisdictioni, ad perimplendum omnia et singula premissa in singulis suis punctis, et hoc primo, 2o, 3o, et sub excommunicationis pena.

Dauid Gibsoun, qui supra manu sua propria.

Testament of Hugh second Earl of Eglintoune, 18th and 31st August 1546.

Testamentum quondam nobilis et potentis Domini, Hugonis Comitis de Eglintoune ac Domini Montgumry, qui obiit apud Monkreddin, tertio Septembris 1546.

144. Quum nihil sit certius morte, nec incertius hora mortis, hinc est quod ego, Hugo Comes de Eglintoune ac Dominus Montgumery, eger corpore, sanus tamen mente, condo Testamentum

meum in hunc modum: Imprimis, Do et lego animam meam Deo Omnipotenti, Beatissime Virgini Marie, totique celesti curie, corpusque meum sepeliendum fore in choro monasterii de Kilvyning; ac constituo, nomino et ordino Dominam Mariotam Seytoune, meam charissimam sponsam, Hugonem Montgumry, meum filium seniorem et heredem, et Magistrum Jacobum Houstoune, Subdecanum Glasguensem, meos executores et bonorum intromissores; and als I mak my said spous tutrix testamentar to my air or airis (exceptand it that I haue maid Hew Montgumry, my gudschiris bruther sonne, tutour to my air or airis, as is within writtin); and gyf sche mareis, I mak Maistir James Houstoune, Subdeyne, tutour; and gyf he discessis, my air or airis beand of non age, Johne Montgumry, zoung Laird of Hessilheid; and gyf he decesis, George Montgumry of Skelmurlie; and eftir him, Arthur Montgumry, Lard of Stane; and eftir him, Charleis Mowat of Knokintebir; and efter him, Adam Montgumry of Murhous; and eftir him, Thomas Newin of Monkreddin: and als I constitut and makis Hew Montgumry, my gudschiris bruther sonne, tutour to my air, or airis, to all and hail the Ile of Litil Cumraye, with tour and fortilage of the samin and pertinents thairof, and to all and hail my tuenty schillyng land of Snodgerss with the pertinentis, and to all and hail the bailzery of the regalite of Kilvynning, aye and quhil my air or airis cum to perfyt or lauchfull age; and he to hayf the haile feall and profeit of the said bailzery, siclik as my said gudschir had in tyme of his deceiss, and as I had sen syne, and now instantlie hes and am in vse of.

Inventorium omnium bonorum meorum.

Item, Imprimis, fateor me habere, in vtensiliis, domiciliis et in debitis mihi debentibus, extendentia ad summam mille mercarum.

Debita que debentur aliis.

Item, Imprimis, I ordane my gudschiris testament and legacy to be fulfillit quhair it is not payt, with the redeast of my awin geir, and thair eftir my awin dettis to be payt.

Legatio.

Item, I ordane my memorial of my dispositioune, subscriuit with my hand, of the dait at Kilvyning, the xvi daye of August, the zeir of God, ane thowsand V^{c} xlvi zeirs, to be fulfillit eftir the tenour of the samen: Item, I leyf to the pure houshaldaris of Egleschem tuenty pundis, to be payt amangis thame: Item, to the pure houshaldaris of Ardrossan, tuenty pundis: Item, to the pure houshaldaris of Irweyne, Kilvyning and Eglintoune, tuenty lib.; and this mone to be distribut be the discretioune of my said spous: Vltimo Augusti; nochtwithstanding the ordinance of the mariageis of Agnes Montgumry and Margaret Montgumry, my dochteris, in my memorial, my mynd and will is thai be mareit be the avise of my said derrest spous and freyndis, for the gud and weil of my hous.

Conditum erat hoc presens Testamentum per os decedentis, apud Monkredding, die decimo octauo mensis Augusti, anno Domini millesimo quingentesimo quadragesimo sexto, coram hiis testibus, Charolo Mowat de Knokintebire, Adamo Montgumry de Murhous, Willelmo Kile, Jacobo Or, Thoma Newin, et Magistro Johanne Scott, notario publico, cum diuersis aliis.

Nos Gauinus miseratione diuina Archiepiscopus Glasguensis, etc., hoc presens [suprascriptum testamentum] et bonorum inuentarium dicti quondum nobilis et potentis domini, Hugonis quondam Comitis de Eglintoune, et quo ad res, bona debita creditaque, pecuniarum summas et actiones, tam in eodem contenta et expressa, quam de eodem omissa, relicta, seu oblita, ac ad infra et extra, predictos Dominam Mariotam Setoun, Comitissam de Eglintoun, Hugonem Montgumry, meum filium et heredem, ac Magistrum Jacobum Houstoun, Subdecanum, executores in eodem per os defuncti nominatos, confirmamus, approbamus, et auctoritate nostra ordinaria ratificamus; intromissionem et dispositionem huiusmodi bonorum, rerum, debitorum creditorumque, pecunie summarum, actionum, tam in presenti testamento et bonorum inuentario contentorum, quam de eodem omissorum, seu quomodolibet oblitorum, prefatis executoribus, juxta vltimam defuncti voluntatem, libere dando et comittendo: Reseruato tamen nobis et successoribus nostris computo et ratiocinio de intromissionibus, post lapsum diei et anni vt moris est: In cuius rei fidem, manu camerarii nostri subscripti, sigillum nostrum rotundum affigi jussimus et mandauimus, apud ciuitatem nostram Glasguensem, die vigesimo sexto mensis Septembris, anno Domini millesimo quingentesimo quadragesimo sexto, et nostre consecrationis anno vigesimo secundo. Cota testamenti lx lib.

Per dictum dominum reuerendissimum Archiepiscopum,

Duncanus Levingstoun, Camerarius.

Obligation by Dame Marion Seytoun, Countess of Eglyntoun, to Robert Master of Boid, 16th May 1547.

145. Be it kend tyll all men be thir present letteris, me Dayme Merioun Seytoun, Cunetass of Eglyntoun, to be bundin and oblist, and be the tenour herof bindis and oblissis me to ane honorabill man, Robert Master of Boid, be the faitht and threucht in my body, that I sall nocht mare nor contract mariage with na maner of persone nor persones, nor sett takis nor rowmes pertening the houss and lordschep of Montgumre to na gentilman bot thai that ar in possessioun now presentle, or ellis to thaim that succeddis to the possessiounis and tenentis now instant, without avise and consent of the said Robert Maister Boyd; and herto bindis and oblissis me vnder the panis of periure and defamatioun: In vitnes of the quhilk I haif subscriuit this my obligatioun with my hand at Edinbrught, the sextene day of Maii, the zeir of God I^{M} fyf hundreth fourte and sevin zeris, befoir thir vitnes, Charles Movat of Knokyntebir, Adame Montgumre of Murehouss, Hew Montgumre, balze depute of Killvynning, Thomas Nevin of Monkreddin, and Schir Allane Porterfeld, notar publik, with vderis diuers.

LETTERS of Archibald Earl of Argyyle, Justice-General of Scotland, attesting that Lady Marion Seytoun, Countess of Eglintoun, had been acquitted of the slaughter of Neill Montgomery of Langschaw, Knight, 28th June 1547.

146. ARCHIBALDUS Comes Ergadie, Dominus Campbell et Lorne, Justiciarius Generalis supreme domine nostre Regine totius regni sui generaliter constitutus, Vniuersis et singulis ad quorum noticias presentes litere peruenerint, Salutem: Noueritis quod comparens coram Archibaldo Betoun de Capildra, nostro deputato seu locumtenenti in officio nostro Justiciarie, per nostram commissionem specialiter constituto, in curia Justiciarie eiusdem supreme domine nostre Regine, tenta in pretorio de Edinburgh, xxviii° die mensis Junii, anno Domini millesimo quingentesimo quadragesimo septimo, Domina Mariota Seytoune, Comitissa de Eglintoune, per literas regineas dilatata, indictata et accusata de arte et parte crudelis interfectionis quondam Nigelli Montgomery de Langschaw, militis, ex precogitata felonia commisse: Quamquidem actionem et calumpniam dicta Mariota, in facie judicii, omnino et expresse denegauit, et per condignam assisam de dicto crimine quitta facta fuit penitus et immunis: Et hoc omnibus quorum interest notum facimus per presentes: In cuius rei testimonium sigillum officii S. D. N. Regine presentibus est affixum, anno, die, mense et loco prescriptis.

DISCHARGE by Queen Mary, with consent of the Regent Arran, to Hugh Earl of Eglintoun, of the Summons of Error at her instance, for reducing the retours of the Earl's father in the lordship of Robertoun, etc., 15th September 1548.

REGINA.

147. WE, with auiss, consent, and auctorite of oure derrest cousing and tutour, James Erle of Arrane, Lord Hammiltoun, etc., protectour and gouernour of oure realme: That forsamekle as oure traist cousingnace, Dame Marioun Seytoun [Countess] of Eglintoun, tutrice testamentare to oure cousing, Hew now Erle of Eglintoun, hir sone, and for hir self, hes thankfullie pait and deliuerit to our said gouernour and ane reuerend fader in God, Johnne Bischop of Dunkeld, our thesaurare, in our name, the sovme of twa thowsand markis vsuale money of our realme, tobe warit vpoun mvnitioun and wageing of men of weir for defence of oure realme: Thairfore, and for the gude, trew and thankfull seruice done to ws, our derrest fader and maist noble progenitouris of gude mynd, quham God assolze, be the said Hewis fader, gudeschir and predecessouris, alsueill in tymes of weir as peace; and for diuerss vtheris ressonable caussis and considerationis moving oure said gouernour thairto, be thir our letteris renuncis and dischargis, for ws and our successouris, the summondis of errour now raisit and dependand at our instance befoir the lordis of oure counsale, with all vtheris summondis and processis raisit or tobe raisit at the instance of ws and our successouris foirsaidis for reductioun of the retouris of the said vmquhile Hew last Erle of Eglintonis seruying, with all actioun that we haue had or may haue for reductioun thairof, aganis

the said Hew now Erle of Eglintoun, as sone and air of the said vmquhile Hew last Erle of Eglintoun, the said Dame Marioun, his tutrice testamentare, and all vtheris his tutouris and curatouris for thair interess, and the personis of inqueist that seruit be breves the said vmquhile Hew last Erle of Eglintoun, as nevoy and air to vmquhile Hew Erle of Eglintoun, his gudeschir, of all and sindry the landis and lordschippis vnderwrittin; that is to say, of all and haill the landis and lordschip of Robertoun, extending in the hail to xl li. land of auld extent, with the touris, fortaliceis, mylnis, multuris, fischeingis, tenentis, tenandriis and seruice of fre tenentis thairof and thair pertinentis, liand in our baillierie of Cunyghame, within our schirefdome of Air; the landis of Eistwod, extending to xx li. land of auld extent, with the fortaliceis, maner places, mylnis, multuris, fischeingis thairof and thair pertinentis, liand within the barony and our schirefdome of Renfrew; and the landis and lordschip of Eglishame, extending in the haill to ane hundreth pund land of auld extent, with the castell and fortalice of Polnone, togidder with aduocatioun and donatioun of the kirk of Eglishame, mylnis, multuris, fischeingis, tenentis, tenandriis and seruice of fre tenentis thairof, or ony vtheris of the landis, lordschippis, offices and erledome, now or of auld pertenyng to the said Erle or his predecessouris, repute and haldin thair heretage contenit in the saidis retouris, of the said vmquhile Hew last Erle of Eglintounis seruyng as air foirsaid, togidder with all actioun, clame, pley and questioun, quhilkis we, our said gouernour in our name, our predecessouris or successouris, had, hes, or onywayis may haue or clame to the saidis landis and lordschippis particularlie abone writtin, or ony vtheris landis, lordschippis, offices, annuelrentis, tenentis, tenandriis and seruice of fre tenentis of the samin, quhairof the said vmquhile Hew last Erle of Eglintoun wes seruit be breves and retowrit as said is, or ony part of thame, be ressoun of waird or nonentres, throw reductioun of the saidis retouris, or ony vthirwayes foreuir: And for ws and our successouris, wit auiss, consent, and auctorite of oure said gouernour, ratefiis and apprevis the saidis retouris of the said vmquhile Hew last Erle of Eglintonis seruying as air foirsaid of the saidis landis and lordschippis abone expremit in speciale, and all vthiris specefiit in the saidis retouris, and grantis the samin weill and ordourlie proceidit in all poyntis; and als consentis that the saidis lordis of oure counsale geve thair decreit aganis ws at the instance of the saidis inqueist, Hew now Erle of Eglintoun, as aire foirsaid, Dame Marioun his moder and tutrice, and all vtheris his tutouris and curatouris, for thair interess, assolzeand thame fra the saidis summondes of errour, raisit or to be raisit aganis thame, for reductioun of the saidis retouris, and poyntis of the saidis summondis simpliciter, be thir our letteris: Gevin vnder oure signete, and subscriuit be oure saidis gouernour and thesaurare, at Edinburgh, the fyftene day of September, and of oure regnne the sext zeire.

DUNKELD, Thes^r.

LETTERS of RELAXATION in favour of Robert Master of Boyd and others, 11th December 1548.

148. MARIE be the grace of God Quene of Scottis, to oure louittis, Cwdbart Gourges, messingeris, oure schireffis in that part, coniunctlie and seueralie specialie constitute, greting: Forsamekle as oure louittis Robert Maister of Boyd, Johnne Byrsbane of Bischoptoun, Dauid Fairlie, zoung lard of that Ilk, Charlis Mowat of Busbye, Robert Boyd, zoung lard of Portincros, Robert Boid in Clerkland, Archibald Boyll and Williame Blair being denuncit our rebellis and put to our horne for not finding of souirte to vnderly oure lawis befoir our iustice, or his deputis, for the cruell slauchter of vmquhile Nele Montgomery of Langschaw, Knycht, hes now fundin souirtie to our iustice clerk, in the bukis of our adiornale, that thay sall compeir befoir our iustice or his deputis, the thrid day of the nixt justice air of our schir quhar thai duell, or sonner vpoun xv dayis warnyng, to vnderly oure lawis for the saidis crymes; eftir the forme and tennour of oure vtheris letteris, and act of our adiornale maid thairupoun: Oure will is heirfore, and we charge zow straitlie and commandis, that incontinent thir oure letteris sene, ze pas, and in oure name and auctorite, relax the saidis Robert Maister of Boyd, Johnne Byrsbane, Dauid Fairle, Charlis Mowat, Robert Boyd, Robert Boyd, Archibald Boyll and William Blair, fra the proces of oure horne led vpoun thame in the said mater, ressaue thame to oure peax and gif thame the wand thairof; conforme to the said act of adiornale and to justice, as ze will ansuer to ws thairvpoun: The quhilk to do we commit to zow, coniunctlie and seueralie, oure full power be thir our letteris, deliuering thame be zow deulie execut and indorsit agane to the berar: Gevin vnder oure signet at Edinburgh, the xi day of December, and of oure regnne the saxt zeir.

Ex deliberatione dominorum consilii.

J. ZOUNG.

LETTERS of REMISSION by Queen Mary, to Robert Master of Boyd and seven others, for not joining the army at Gladismuir, and for the slaughter of Neill Mongomery of Langschaw, Knight, 11th December 1548.

149. MARIA Dei gracia Regina Scotorum, Cancellario nostro Salutem: Quia, cum auisamento et consensu charissimi consanguinei et tutoris, Jacobi Arranie Comitis, Domini Hammiltoun, regni nostri protectoris et gubernatoris, remisimus dilectis nostris, consanguineo Roberto Magistro de Boyd, Johanni Birsbane de Bischoptoun, Dauidi Fairlie, domino juniori de eodem, Carolo Mowat de Busby, Roberto Boyd, domino juniori de Portincroce, Roberto Boyd in Clerkland, Archibaldo Boyll et Willelmo Blair et eorum cuilibet, rancorem animi nostri, sectam reginalem et omnem actionem quam et quas erga ipsos concipimus, habemus seu quouismodo in futurum habere poterimus pro ipsorum proditoriis remanentia et domi commorantia a nostro exercitu et copiis

super Glaidismuir, vicesimo die mensis Augusti vltimo elapsi, pro resistentia nostrorum veterum Anglie inimicorum conuenire ordinatis; ac pro arte et parte crudelis interfectionis quondam Nigelli Mongomery de Langschaw, militis, et pro omnibus actione et crimine que desuper sequi valuerint, prefatisue personis, aut earum alicui, inde imputari poterint; necnon pro omnibus aliis actionibus, criminibus, transgressionibus et offensis quibuscunque, per dictas personas, aut earum aliquam, aliquibus temporibus retroactis ante diem date presentium commissis, seu quomodolibet perpetratis; proditoria traditione, in nostram et tutoris nostri antedicti personam, dumtaxat excepta; dummodo prefate persone partibus conquerentibus et dampna passis taliter satisfaciant, quod nullam super hoc de cetero instantem, querimoniam, audiamus: Vobis precipimus et mandamus quatenus literas nostras remissionis sub nostro magno sigillo, in forma capelle nostre debita, dictis personis super premissis fieri faciatis: Datum sub nostro secreto sigillo apud Edinburgh, vndecimo die mensis Decembris, anno Domini millesimo quingentesimo quadragesimo octauo, et regni nostri sexto.

Preceptum remissionis Roberti Magistri de Boyd, et septem aliorum.

Tack by John Hamilton, Archbishop of Sanctandrois, to Alexander Mure, of the teind sheaves of the lands of Ormesheucht, 3rd March 1549.

150. Be it kend till all men be thir present letteris, ws Johne be the permissioun of God Archebischop of Sanctandrois, Primat of Scotland, Commendatour of Paslay, and principale fermare of all and hale the teynd schavis and fruttis of the abbacy of Kilwynning wit the pertinentis, liand within the dioces of Glasqw, to haff sett and to male lettin, and be the tenour herof settis and to male lettis, to our louitt frend, Alexander Mure, his airis and assignais, ane or ma, all and hale the teynd schavis of his landis and steding callit Ormescheucht with the pertinentis, liand within the parochine of Irvyne and dioces of Glasqw forsaid, for all the space and termes of sevin zeris nixt and immediatlie eftir folloing the feist of Aduincula Sancti Petri, callit Lambmes, bipast, in the zer of God ane thousand five hundreth and fourty aucht zeris, quhilk wes his entres tharto, and tharefter to indur and to be broukit and joisit be him, his airis, assignais and subtenentis, ane or ma, for all the said space and termes of sevin zeris; with power to intromete with the said teynd schavis, vplift and dispone tharapone at thar awin handis, or to sett the samyn to vthiris as thai sall think expedient, frelie, quietlie, weill and in peax, but ony reuocatioun, obstakle or impedimente quhatsumeuer: Payand herfor zerlie the said Alexander, his airis or assignais, ane or ma, to ws, our assignais or factouris thairof, the sovme of fourty schillingis vsuale monye of Scotland, at the fest of the Purificatione of our Lady callit Candellmess, during the said space of sevin zeris alanerlie, in name of male . . . In witnes herof to thir our present letteris of assedatione subscriuit wit our hand, our signet is affixit, at Hamiltoun, the thrid day of Merche, the zer of God I^{M} V^{c} and fourty nyne zeris, befor thir witnes,

Master Andro Oliphant, Maister George [Mure], Jacob Nasmyth, our seruitouris, with vtheris diuers.

CONTRACT of MARRIAGE between Hugh third Earl of Eglingtoun, and Lady Jane Hammiltoun, daughter of James Duke of Chattellarault, 13th February 1554.

151. AT Edinburgh, the fourtene day of Februar, the zeir of God ane thousand five hundreth fiftie foure zeris: In presence of counsale vnderwrittin, that is to say, reuerend faderis in God, Robert Bishop of Orknay, Williame Bishop of Dumblane, Maister Henrie Sinclare, Dene of Glasgou, ane venerable fader in God, George Commendater of the Abbay of Drumfermling, Maister Johne Sinclare, Dene of Glasgow, Maister Abrahame Creichtoun, Prouest of Dunglas, Maister Johnne Stevinstoun, Chantoure of Glasgou, Maister Williame Baillie, Lord Prouand, Maister James Scott, Prouest of Corstorphin, William Hammiltoun of Sanchair, knycht, Maister James McGill of Rankeloure Nethir, clerk of registri, Schir Johnne Bellenden of Auchnoull, knycht, iustice clerk, Maister Henrie Lauder, aduocat to oure Soverane Ladie, Maister Thomas Marioribankis of Ratho, Richart Maitland of Lethingtoun, Robert Carnagy of Kynnaird, knychtis, and Maister Johnne Gledstanis, licenciat in the lawis; comperit James Duik of Chattellarault, Erle of Arrane, Lord Hammiltoun, etc., and Jane Hammiltoun, his lauchfull dochter, on that ane part, and Hew Erle of Eglintoun, Dame Marioun Seittoun, Countes thairof, Richart Maitland of Lethingtoun, knycht, Hew Wallace of Carnell, all personalie, and Maister Dauid Borthuik, procuratoure specialie constitut for Robert Lord Semple, curatrice and curatouris to the said Erle of Eglingtoun, on that vther part, and gaif in this contract of mariage vnder writtin, subscriuit with thair handis, and desyrit the samin to be insert and registrat in the buikis of oure souerane Ladiis counsale, to haue the strenth, force, and effect of ane act and decreit of the lordis thairof in tyme tocum, and letteris to be direct thairupoun to command and charge, or to compell, pound, and distrenze athir of the saidis partiis for fulfilling thairof in all pounctis, efter the form and tennoure of the samin; the quhilk desyre the saidis lordis thocht ressonable, and thairfoir hes ordanit and ordanis the saidis contract and appounctnament tobe insert and

registrat in the saidis buikis of counsale . . . off the quhilk the tennoure followis: At Edinburgh, the thretteint day of Februar, the zeir of God ane thousand five hundreth fiftie and foure zeris; It is appounctit, aggreit, and finalie contractit betuix noble partiis, that is to say, ane noble and mychtie prince, James Duik of Chattellaralt, Erle of Arrane, Lord Hammiltoun and ane noble ladie, Jane Hammiltoun, his lauchfull dochter, on that ane part, Hew Erle of Eglingtoun and Dame Marioun Seitoun, Countes of Eglingtoun, Robert Lord Semple, Richart Maitland of Lethingtoun and Hew Wallace of Carnell, his curatoures, on that vthir part, in maner, form and effect as efter followis, that is to say; the said Erle sall, God willing, marie the said Jane, and solempnizat the band of matrimoney with hir in face of halie kyrk betwix this and the day of nixttocum, and sall geif to her in lyfrent, titulo oneroso, befoir the completing of the said mariage, for the caussis, proffettis and gude deidis efter following, be his charter and precept of saising, to be haldin of oure Souerane Ladie, for seruice vsit thairof, with confirmatioun thairupoun be our said Souerane Ladie, all and haill the landis of Eist and West Manis of Ardrossan, with the toure, fortilice and castell thairof, togidder with ane pece of land callit the Cragis, with thair partinentis, with the myln of Ardrossan and multuris thairof; the landis of Knokbrehauch, with the partinentis; the landis of Sorby, with the partinentis; the landis of Mekle Busbie and Litill Busbie and thair partinentis; the landis of Greithill; the landis of Salcottis, with the Fischeartoun and havin of the samin, lyand within the baillierie of Cvninghame and schirefdome of Are: For the quhilk the said noble prince, havand full power grantit and gevin to him be his lauchfull dochter, Ladie Ann Hammiltoun, donatrix in and to the said Hew, ward and nonentres of the landis vnder writtin of all zeris to ryn efter the said Hewis age of xvi zeris, vnto his perfite age of xxi zeris compleit, and forther ay and quhill the lauchfull entre of the rychtius aire or aris thairto, with auis, consent and auctorite of ane maist reuerend fader in God, Johnne Archbischop of Sanctandrois, hir curatoure, for gud causis, sall frelie dispone, geif, and grant, and be thir presentis frelie disponis, gevis and grantis to the said Erle, in name of tocher, his mariage foirsaid, with all clame, actioun, enteres or proffeit, that the said Ladie Ann micht haue or pretend aganis him for the said marriage . . . and als be the tennoure heirof disponis, gevis, grantis and assignis to the said Erle and the said noble ladie foirsaid, the langare levend of thame, and to the aris to be gottin betuix thame, quhilkis failzeand to the aris of the said Erle, all and haill the ward, nonentres and releif of all and haill the landis and lordschip of Ardrossan, etc. . . . and als the said noble prince be thir presentis, gevis, grantis and disponis to the said Erle, Ladie Jane, and thair aris foirsaidis, quhilkis failzeing, the said Erlis aris quhatsumeuir, all rycht, title and entrest that he hes or onywys may haue in and to the ward and nonentre of the fourtie markland of Eglingtoun, etc. . . . And attour the said Erle, with auis and consent of his curatouris foirsaidis, bindis and oblisis thame to warrand, acquiete and defend the saidis landis, myln landis, multuris, castell and fortilice gevin to the said Ladie Jane in lyfrent, as gevin titulo oneroso, and sall vphald and warrand the samin to be zeirlie worth to hir and hir assignais, during hir lyftyme, the soume of five hundreth merkis, by kane fowlis and

kane hering; and failzeing the samin be nocht worth samekle, than and in that cais the said Erle, and his curatouris foirsaidis, bindis and oblisis him and his aris, to infeft the said ladie in lyfrent, to be haldin as said is, in samekle landis, als competent lyand, as salbe zeirlie worth samekle as the saidis first landis sal be less worth nor five hundreth merkis: And forther geif it happinnis in ony tymes heirefter that ony causis or impedimentis of consanguinitie or affinitie, or vtheris quhatsumeuer, be kend or knawin betuix the saidis Erle of Eglingtoun and the said noble ladie, quhilkis happinnis nocht tobe dispensit befoir the contracting of the said marriage, the said Erle, vpoun his expensis, sall obtene dewlie, and bring in thir partis, ane new dispensatioun or dispensationis for removing of the said impedimentis als oft as neid beis, with ratificatioun of the said matrimoney, nochtwithstanding the saidis impedimentis; or than sall diuorce the said first matrimoney be occacion thairof, quhilk being thairthrou diuorciat, the said Erle sall, incontinent thairefter, caus vse the saidis new dispensationis dewlie, and of new agane contract and solempnizat matrimoney in face of halie kyrk with the said Ladie Jane: Prouiding, granting and consenting alsua, be the tennour heirof, that geif the matrimoney abone specifiit happinnis in ony tyme heirefter to [be] dissoluit, or the saidis Erle and Ladie be ony occacion tobe diuorcit sumple fra bed and burd, or vtherwys, and happinnis thairefter to remane vnmariit, without defalt of the said noble Ladie; than and in that cais the said noble ladie sall brouik and jois during all the dayis and termes of hir lyftyme, all and haill the saidis landis, ward and nonentre abone writtin, be vertu of the said dispositioun and infeftment to be maid to hir thairof, as said is; togidder with all vthir landis, takis, rowmes, stedingis, guidis or geir that sal happin to be gevin heirefter be the said Erle nundiat to the said ladie, donationis causa propter nuptias, aut intuitu predicti matrimonii, or for quhatsumeuir vthir caus, togidder with ane ressonable terce of all landis and annuale rentis in the quhilkis the said Erl sal happin to deceis vestit and saisit as of fe, without preiudice of the said noble prince and ladiis actioun aganis the said Erle, his airis, executouris and assignais, for restitutioun of the availl of the said mariage as dotis causa disponit to the said Erle, bot will and grantis that the said actioun remane in als gret strenth and effect as the saidis landis and vtheris to be gevin, as said is, had bene evictit fra the said noble ladie, be vertu of the said diuorcement: Prouiding alsua, that geif the said ladie, without ony falt or occasion of the said Erle, refusis and will nocht solempnizat the said mariage, now efter the obteining and bringing hame of the saidis dispensationis, and vsing thairof as said is, than and in that cais scho sall tyne the landis foirsaidis gevin to hir in lyfrent as said is, without preiudice of the actioun abone specifiit for restitutioun of the availl befoir nemit: And for fulfilling of the premissis, and euerie pounct thairof, with auis and consent of the saidis Erlis curatouris foirsaidis, ar content that this present contract be insert in the buikis of Counsale, to have the strenth of ane decreit of the Lordis thairof, with executoriellis thairupoun in all the foure formes as effeirs; and for inserting heirof be thir presentis, makis, constitutis, and ordanis, Maisteris Dauid Borthuik and Thomas M^{c}Calzeane, and ilk ane of thame, coniunctlie and seueralie, oure werray lauchfull and ondouttit procuratouris; gevand to thame, and ilk ane of thame, coniunctlie and seueralie, oure werray full

power to compeir befoir the Lordis, and consent to the inserting heirof as said is: In witnes of the quhilk thing the partiis, and curatouris abone specifit, apprevand the thre eikis on the margane, as thai ar put and scorit, contenand the first in name of tocher, the secund contenand Dregarne, the thrid contenand the wordis Dregarne, with tennent, tenandrie and seruice of fre tennentis, mylnis and multuris, hes subscriuit thir presentis with thair handis, day, zeir and place abone-writtin, befoir thir witnes, George Commendater of the Abbay of Dumfermling, Williame Commendatare of Culross, Schir Robert Carnagy of Kynnard, knycht, Maister Thomas Marioribankis of Ratho, Matho Hammiltoun of Mylburne, Andro Reidfurd, Schir Dauid Hammiltoun, and Maister Alexander Fores, notaris publict, with vthiris diuers: Sic subscribitur, James. Erle of Eglingtoun. Jane Hammiltoun. Countes of Eglingtoun. Robert Lord Semple. Richart Maitland of Lethingtoun. Hew Wallace of Carnell: Extractum de libro actorum per me, Magistrum Jacobum M^cGill de Rankeloure Nethir, clericum registri ac consilii supreme domine nostre Regine, sub meis signo et subscriptione manualibus.

JACOBUS MAKGILL.

DECREE in favour of Robert Lord Boyd, against Hugh third Earl of Eglintoun, 29th May 1555.

152. AT Edinburgh, the xxix day of Maii, the zeir of God I^M V^c lv zeris: The Lordis of Counsale vnderwrittin, that is to say, reuerend faderis in God, Robert Bischop of Orknay, Williame Bischop of Dumblane, Maister Henry Sinclare, Dene of Glasgou, Maister Johnne Sinclare, Dene of Restalrig, Maister Abraham Creichtoun, Prouest of Dunglas, Maister Williame Baillie, Lord Prouand, Maister James Scott, Prouest of Corstorphin, Johnne Campbell of Lundie, Williame Hammiltoun of Sanchaire, Knychtis, Maister James M^cGill of Rankelour Nethir, Clerk of Registre, Maister Henry Lauder, Aduocat to oure souerane ladie, Maister Thomas Marioribankis of Ratho, Robert Carnagy of Kynnard, Richart Maitland of Lethingtoun, Knychtis, and Maister Johnne Gledstanis, licenciat in the lawis; Decretis, deliueris, decernis and ordanis Hew Erle of Eglintoun, Lord Montgomery, pronevoy, air and successour of vmquhile Hew Erle of Eglintoun, his tutouris and curatouris, gif he ony hes, for thair interess, to releif Robert Lord Boyd, and Adame Boyd of Penkill, pledge and souertie for him, Alexander Boyd in Craig, and Johne Muir of Rowallane, plege and souertie for him, at the handis of Johnne Montgomery, sone lauchfull of vmquhile Patrik Montgomery in Irvin, and nerrest to him, off the soume of thre hundreth and fiftie merkis vsuale money of this realm; clamit be the said Johne fra thame be vertu of ane summondis rasit be him vpoun ane act of adiornale aganis thame befoir the saidis Lordis, to heir thame, and ilkane of thame, decernit be the saidis Lordis decrete to refound, content and pay to the said Johnne, for amendis and assythment of his said vmquhile faderis slauchter committit be thame in the moneth of December, the zeir of God ane thousand five hundreth twentythre zeris; and the same to be taxt, sett and modefiit be the saidis Lordis

thair discretioun and decrete, efter the availl and quantitie of the foirsaidis personis guidis, comittaris of the said slauchter: Becaus lang efter the committing of the said slauchter of the said vmquhile Patrik be the saidis personis the tyme foirsaid, the said vmquhile Hew Erle of Eglintoun, be vertew of ane decrete arbitrale gevin and pronuncit be certane juges arbitratouris, the secund day of Maii, the zeir of God I.M V.c xxx zeris, betuix the said vmquhile Hew Erle of Eglintoun, his barnis, brethir, kyn, freindis, seruandis and tennentis, on that ane part, and the said Robert Lord Boyd, vmquhile Mongo Mvre of Rowallane, fader to the said Johnne Mvre, thair barnis, brethir, kyn, freindis, seruandis and tennentis, on that vthir pairt, of the said Erlis consent, being ane of the saidis partiis, wes decernit and ordanit to discharge all assythmentis of slauchteris, bigane spulzeis, debatis, querrellis, contrauersiis and actionis quhatsumeuir, committit be the saidis Robert Mongo, and vtheris foirsaidis, of all tymes bigane, vnto the date of the said decrete arbitrale abone specifiit; as the samin decrete arbitrale mair fullelie proportis, off the date at Glasgou, the secund day of Maii, the zeir of God I.M V.c xxx zeris, schewin and producit befoir the saidis Lordis: And it is of veritie that the said vmquhile Patrik wes slane befoir the geving of the said decrete arbitrale, and that he wes kynnisman and freind to the said vmquhile Hew Erle of Eglintoun; and that the said Adame Boyd of Penkell, and Alexander Boyd of Craig, ar kynnismen of the said Robert Lord Boyd, and the said Johnne Muir is sone and air of the said vmquhile Mongo Mvre; and thairfoir, in respect of the said decrete arbitrale decerning the said vmquhile Hew Earle of Eglingtoun to discharge all assythmentis and slauchteris, bigane spulzeis, debatis, querrellis, contrauersiis and actionis quhatsumeuir committit be the saidis Robert, vmquhile Mongo, and vthiris foirsaidis, vpoun the said vmquhile Hew Erle of Eglintoun and his foirsaidis, in all tymes bigane, vnto the date of the said decrete arbitrale: the said allegit slauchter, committit befoir the date thairof, aucht and suld be decernit to releif the said Robert Lord Boyd, his collegis and cautioneris abone writtin, of the said sovm of thre hundreth and fiftie merkis contenit in the said summondis, efter the forme and tenour of the saidis Lordis decrete gevin thervpoun at the instance of the said Johne aganis the saidis Robert Lord Boyd, Alexander Boyd, and thair cautioneris foirsaidis, and conforme to the said decrete arbitrale gevin betuix the saidis partiis thairupoun; lyke as wes werray verefiit and vnderstand to the saidis Lordis; and thairfoir ordains letteris tobe direct at the saidis Robert Lord Boyd, Alexander Boyd, and thair cautioneris foirsaidis instance, aganis the said Erle of Eglintoun, his tutouris and curatouris foirsaidis, to the effect abone writtin, in forme as effeirs: the saidis Robert Lord Boyd, Alexander Boyd, and thair cautioneris foirsaidis, comperand be Maister Dauid M.cGill, thair procuratour; and the said Erle of Eglintoun, his tutouris and curatouris for thair interes, being lauchfullie summond to this actioun, of tymes callit and nocht comperit: Extractum de libro actorum per me, Magistrum Jacobum M.cGill de Rankelour Nether, clericum rotulorum, registri, ac consilii supreme domine nostre Regine, sub meis signo et subscriptione manualibus.

JACOBUS MAKGILL.

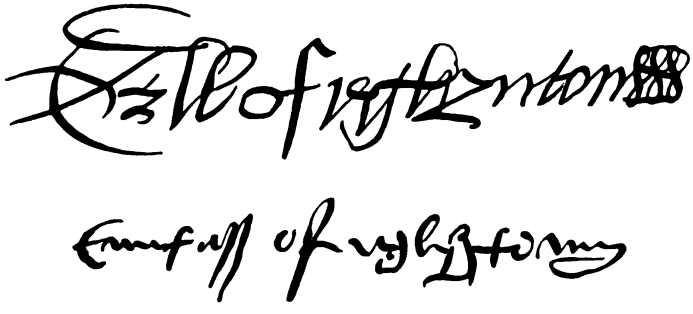
CONTRACT of MARRIAGE between Thomas Kennedy younger of Bargany, and Agnes Montgomery, sister of Hugh third Earl of Eglingtoun, 12th January 1555.

153. AT Edinburgh, the tuelt day of Januar, the zeir of God I^{M} V^{c} lv zeris: It is appounctit, aggreit and finalie contractit betuix ane noble and mychtie lord, Hew Erle of Eglingtoun, Lord Montgomery, etc., Dame Marioun Scytoun, Countes of Eglingtoun, his moder, and Agnes Montgomery, hir dochter, sister to the said Erle, on that ane part, and Thomas Kennedy of Bargany and Thomas Kennedy, his sone and apperand aire, on that vthir part, in maner, form, and effect as efter followis; that is to say, the said Thomas Kennedy younger sall, God willing, marie and tak to lauchfull wyfe the said Agnes Montgomery, and compleit and solempnizat the band of matrimoney, with hir in face of halie kyrk, betuix and the feist of Witsounday nixttocum; and the said Thomas Kennedy of Bargany elder sall infeft the said Agnes, in hir pure virginitie, in lyfrent, for all the dayis of hir lyfe, in all and sindrie the landis vnder writtin, that is to say, the landis and barony of Kyrkoswald alias Balmickneill, extending to xii pund land of auld extent, with the pertinentis and myln of the samin; fourty s. land of Fardenercoch; xx s. land of Craigcannoche; and the fourty s. land of Kyrkbride; with all thair pertinentis, lyand in the baillierie of Carrik, within the schirefdome of Are . . . and sall warrand and vphald the foirsaid haill landis to be worth be zeir five scoir bollis meill and beir, and ane hundreth pundis money of this realm: And forther, geif ony impedimentis of consanguinite beis knawen now, the said Erle and his moder sall mak the expensis of ane sufficient dispensatioun for the samin; and geif thair be ony impediment of affinite, or consanguinite, or vthirwys, happinnis heirefter to be knawin betuix the saidis Thomas Kennedy younger and Agnes, his future spous, to stand, quhairthrou thai may nocht remane in lauchfull matrimoney; in that cais, how oft occurris the same in ony tyme cuming, the said Thomas Kennedy elder of Bargany, and his sone foirsaid, sall als oft bring hame ane sufficient dispensatioun thairof, and vse the same vpoun thair expensis; and the said Thomas Kennedy younger sall in that cais iterat and solempnizat of new the said band of matrimoney with the said Agnes, geif neid beis, als oft as salbe thocht expedient, ay and quhill the samin may lefullie stand be the lawis of the realm: For the quhilk mariage to be compleitit, and infeftmentis to be maid as said is, the said Erle and Dame Marioun, his moder, bindis and oblisis thame, thair aris and assignayis, to content and pay to the said Thomas Kennedy of Bargany elder, the soume of tua thousand and tua hundreth merkis equalie betuix thame, at the termes as efter followis, that is to say, the said Dame Marioun at the completing and ending of the said band of matrimoney, the sowm of ane thousand merkis money of this realm, three hundreth merkis at Mertymes nixt thairefter following, that is to say, the said Erle tua hundreth merkis, and his moder ane hundreth merkis thairof, to be payit viii dayis befoir the said term; vther thre hundreth merkis to be payit aucht dais befoir the term of Mertymes in wynter nixt thairefter, be the said Erle alanerlie; and sua furth zeirlie aucht dayis befoir Mertymes thre hundreth merkis, quhill the compleit payment of the said sowm of tua thousand and tua hundreth merkis, to be

payit be the said Erle alanerlie as said is: And siclike the said Erle and his moder sall pay equalie betuix thame to the said Thomas Kennedy zoungar and Agnes, his future spous, the sowm of tua hundreth merkis within ane zeir efter the completing of the said mariage, to thair planesing: And the said Erle sall fynd with him Neill Montgomery of Langschaw, Johnne Craufurd of Craufurdland, and Hew Montgomery of Auchinhude, coniunctlie and seueralie, cautioneris and soureteis actit in the buikis of Counsale, for his part; and siclike the said Dame Marioun sall fynd with hir self George Lord Seytoun coniunctlie and seueralie, cautioneris and souerteis actit in the saidis buikis for hir part; and for fulfilling of all and sindrie the punctis of this present contract, ilkane for thair awin partis respective as is abone writtin, ar bund, obleist, and sworn, aither of thame to vtheris: And als geif it happinnis that the said matrimoney beis nocht completit, or geif diuorce beis led and deducit at the instance of the said Thomas Kennedy zounger, or be occatioun or falt quhairthrou the said matrimoney may nocht lauchfullie stand; in that cais the said Agnes sall, nochtwithstanding the diuorce, brouik and joiss hir foirnemit lyfrent landis, and thair proffettis, and hir infeftment thairof sall stand in the awin strenth and haill effect as it did of befoir, nochtwithstanding ony clauss to be contenit in the said diuorce: And the saidis Thomas Kennedy of Bargany, elder and zoungar, sall nochttheles refound, content and pay agane to the said Agnes and hir barnis the sowm of tua thousand and foure hundreth merkis, quhilkis thai ressaue in tocher as said is: And geif it happinnis, as God forbeid, thair be na aris maill procreat betuix the saidis Thomas Kennedy zoungar and Agnes his future spous, quhairthrou the aris famale, geif ony beis gottin betuix thame, may nocht succeid to his hereitage be ressoun of ane charter tailzie, in that cais the foirsaid haill sowm of tua thousand and foure hundreth merkis salbe refoundit, contentit and payit agane be the said Thomas and his aris maill, to the are or aris famale that salhappin to be gottin betuix him and the said Agnes, to thair mariage, but fraud or gile: Attour, the said Erlis freindis quha hes subscriuit this present contract, hes consenting to the making thairof, and thinkis the samin meit of parage, lefull, convenient and honest; and als the saids Thomas Kennedy elder and zounger sall act thame selffis in the saids buikis of Counsale for fulfilling, observing and keping of all the pounctis of this present contract for thair partis: And finalie, bayth the saidis partiis, with thair securiteis foirsaidis, ar content and consents that this contract be registrat in the buikis of Consale, and decernit to haue the strenth of thair decreit of the Lordis thairof, with executorellis of pounding or horning to pas thairvpoun in form as effeirs; and als to be actit in the Officiallis buikis of Glasgou, geif neid beis, and thai moneist to fulfill the samin: In witnes of the quhilk thing bayth the saidis partiis, and thair souerteis foirsaidis, hes subscriuit this present contract with thair handis, day, zeir, and place foirsaidis, befoir thir witness, James Duik of Chattellarault, Lord Hammiltoun, etc., Johnne Archbischop of Sanctandrois, Abbot of Paslay, etc., Colyne Campbell of Arkinglass, Johne Muir of Cauldwell, William Muir, his brother, Schir Allane Portarfeild, Vicar of Ardrossane, and Johne Blair of Middilauchindrane, with vthers diuers: Attour, the said Erle, with consent of Robert Lord Semple, Richart Maitland of Lethingtoun, knycht, Hew Wallace of Carnell, Dame Marioun Seytoun,

Countes foirsaid, his curatouris, bindis and oblisis him, his aris and assignais, to warrand, releif and kep skathles the saidis cautiounris anent his part of the said contract, and hes subscriuit this contract in takin of thair consents, day, zeir, and place foirsaidis and witnes abone writtin.

Hew Montgomery of Auchinhuid, with my hand at the pen led be James Nicolson, nottar, at my command. Sic est, Jacobus Nicolson, Notarius.



Bond of Manrent by James Dunlop of that Ilk, to Hugh third Earl of Eglintoun, 1st August 1559.

154. Be it kend till all men be thir present letteris, me James Dunlop, laird of that Ilk, to be come man and seruand to ane nobill lord, Heu Erle of Eglintoun and Lord Montgumrie, and be the tenor heirof byndis and oblisis me, my self, kyne, frendis and part takarris, for all the dais, yeiris and termes of my lyiftyme, and sall serue, fortifie and defend the said Erle, his kyndis, freindis and part takaris aganis all deidlie, with my kynd, freindis and adherentes, the authoritie allanerlie beand exceppit; and this seruice to be done to the said Erle onlie in tyme of the authoritie weris and the said James to be na ferther astrickit nor the seruic abone vrittyng; and sall neuer heir nor wit the said Erle skaith, nor his foirsaidis, bot I sall aduerteis him with deligence; and my housis and plasis to be patent in tyme cummyng to the said Erle, and his freyndis, seruandis and part takarris in tyme of neid quhen it requiris; and this band of manreid to be obseruit and kepit vnder the pane of my guidis, movable and immowable, present and for to cum, periure and defamatione for euir, conforme to the clausis abone mensionait; and this present band to be extendit in the maist dew and ampill forme that can be devisit: In vitnes of the quhilk I haue subscruit this my present band of manreid wit my hand, att Polnen, the first daye of August, zeir of God I^{M} V^{c} fyifty nyne zeiris, befoir thir witnes, William Muir of Glanderstoun, James Movat of Mvit, and Maister Patrik Vidderow, notar.

I James Dunlop Lard of that Ilk, w^{t} my hand.

Contract between Robert Lord Boyde, and Neile Mungumry of Langschaw, etc., 10th February 1560.

155. At Glesgu, the tent daye of Februar, the zeir of God I^{M} V^{c} and sixtie zeiris: It is appoyntit, aggreit and finallie endit betuix honorable personis and pairteis vndirwritten, thay ar to saye, Robert Lord Boyde for him self, and takand the burdinge vpone him for John Birsbane of

Bischoptoune, Charlis Mowat of Busbie, Dauid Fairnelie, zoungar of that ilk, Robert Boyde in Clerklande, Archinbalde Boyle, sone to wmquhill Johne Boyle of Kelburne, and Williame Blair in Hendreiscroft, vpone that ane pairt; Neile Mungumry, sone and air to wmquhill Schir Neil Mungumrie of Langschaw, Knycht, for him self and als takand the burding vpone him for Dame Mergaret Mwre, his moder, Cristiane Mungumry, Elizabeth Mungumry and Helyne Mungumry, sistiris germane to the saidis Neile, and als for Thomas Mungumry, James Mungumry and Johne Mungumry, soneis naturale to the saidis wmquhill Schir Neile, vpone the wthir part, in manner following: Forsameikill as the saidis Neil, Thomas and James Mungumryis sall remit, and be thir presentis remittis, and in lykwyis the said Dame Mergaret Mwre, Cristiane, Elizabeth and Helyne Mungumryis, sistiris, and the said Johne Mungumry, sall remit and forgif vnfeinzeitlie with thair hartis, to the saidis Robert Lord Boyde, ande the remanent personis abonewrittin, and to thair kin, freindis and pairt takaris, all rancour, haitrent, displesour or malice quhilkis thai haif, hes had, or ony wyis may haif aganis the saidis Robert Lord Boyde, ande the remanent personis, his pairttakaris abonewrittin, for the slauchtir of the saidis wmquhill Schir Neile Mungumry, fadir to the saidis Neile, committit and done be thame in the toune of Irvin, in the moneth of Junii, in the zeir of God I^{M} V^{c} and fourty sevin zeiris; and the saidis Neile sall caus his said moder, brethir and sistiris mak the saidis remit and forgifnes in the toun of Irvin, the twenty thre daye of Februar, quhair the saidis Robert Lord Boyd sall humilie compeir, with the remanent his pairttakaris abone rehersit, in maner vnderwrittin, and humilie for Goddis caus, imploir and seik the saidis remit and forgifnes for the saidis offence: And attour, the saidis Neile Mungumry sall caus mak, seill, subscrive and deliuer to the saidis Robert Lord Boyde and the remanent his partakaris abonewrittin, ane sufficient letter of slayance in dew and compitent forme be the four brancheis of the saidis wmquhill Schir Neil, videlicet, of the Erle of Eglintoune as cheif and principale of the fadirsyd, be the Erle of Argyle as cheif and principale of the moder and guiddam syde, the Erle of Cassillis as cheif and principale of the guiddam on the fadirsyde, and that betuix and the first daye of Maii, in the zeir of God I^{M} V^{c} and sextie ane zeirs: For the quhilk remit and forgifnes and letter of slayence swa to be maid and deliuerit, the saidis Robert Lord Boyde, and the remanent his pairttakaris abonewritten, committaris of the saidis slauchter, sall vpone the twenty thre daye of Februar forsaid, in the said towne of Irvin, in quhat maner the saidis Neile pleissis to devyis, at the mercat croce or kirk of the said toune as the saidis Neile thinkis speidfull, and thair befor none sall compeir in plane audience of the people, and thair, vpone thair kneis with reuerence as effeiris, sall vnfeinzeitlie ask God forgifnes for the saidis offence, and subsequentlie the said Neile, his brether, moder and sistiris for thame selfis, and in nayme and behalf of the remanent thair kin and freindis, and sall offir to the said Neile ane naikit sworde be the poynte, in taikin of thair repentence fra the boddum of thair hartis; quhair the said Neile, his moder, brether and sisters sall remit the said offence, and accept the said Robert Lord Boyde and his pairttakaris in thair fauouris: Quhilk offence swa

beand remittit be the said Neile, his moder, brether and sistiris, the said Robert Lord Boyde sall content and pay to the saidis Neile Mungumry, the sowme of auchtene hundreth and fourty merkis moneye . . . And attour, the saidis Robert Lord Boyde, as assignaye to Mergaret Boyde, his sistir, remittis and dischairgeis to the said Neile all maner of gudis and geir intromettit with be him quhilk pertenit to the said Mergaret be deceis of wmquhill Johne Mungumry, hir spous: And in lykwyis the saidis Neile Mungumry remittis and dischairgeis the said Robert Lord Boyde of all spolyis committit be him vpone the said Neil or his tennentis befoir the dait heirof; prouidinge allwyis the saidis Robert Lord Boyde, as assignaye to the said Mergaret, sall haif her terce or coniunctfie of the landis of Gallowberrie, or hir lyfrent thairof conforme to hir titill, safar as the samyn may serve in the lawe: And attour, the said Neile grantis him to haif resaifit fra the said Robert Lord Boyde the sowme of thre hundreth and fourty merkis money, quhilk wes restande of the tochquhair promisit be wmquhill Robert Lord Boyde with the saidis Mergaret Boyde, to the saidis wmquhill Schir Neile and wmquhill Johne Mungumry, quhairof he dischairgeis the saidis Robert Lord Boyde, and sall warrand him thairof at all handis: And for the mair tendir kyndnes, ather of the saidis parteis sall stand freindfull and amicable ilk ane to wthiris, and sall tak afald part with wtheris in all querelis leissum and honest: And for the mair assythment and obedience to be done to the saidis Neil Mungumrey, Charlis Mowat, Robert Boyde and Williame Blair sall, at the saidis Neilis pleasour, depairt of the realme of Scotland to the realme of France, and thair to remane duringe the saidis Neilis will: And gif it happinis the saidis Neile or his brether mak motioune or querele for the said slauchtir, contrar the saidis Robert Lord Boyde, or his pairttakaris foresaid, in that cais the saidis Robert Lord Boyde sall haif the said steddinge of Cokilbie, and soumis of money abone written, redeliuerit agane to him be the saidis Neile sa sone as the fault is knawin, and that for coist, skayth and damanage sustenit thairthrou: And the saidis Robert Lord Boyde hes funden John Symeruell of Cambusnethane, William Cwnyghame of Cwnyghamhede, Johne Mwre of Rowallane, cautioneris and souerteis, coniunctlie and seueralie, for the fulfillinge of his part of this contract, and payment of the sowmis of moneye forsaidis: And aither of the parteis ar contentit this present contract and appoyntment be registrate and inserte in the bewkis of Counsell, and in the baillie court bewkis of Cwnyghame, and to haif the strynth and effect of thair actis and decretis: In witnes of the quhilk the parties and cautioneris hes subscrivit thes present contract with thair handis, daye, zeir, and place foirsaidis, befoir thir witnes, Johne Fowlertoun of Dreghorne, Johne Lyndsaye of Coveintoun, John Lokart of Bar, Robert Boyde of Portincors, Johne Fairnelie of that ilk, Adam Boyde of Pinkill, Hew Mungumry of Hesilheide, Johne Crawfurde of Crawfurdlande, and Patrik Hamiltoune of Bogsyde, with wthiris diuers.

NEYLL MONGUMRY of Langschaw.
R. BOYD.
COYGHAMHED.

JOHN MUR of Rowallen.
JHON SOMERUELL of Cambusnethan.

OBLIGATION by Neile Mungumrie of Langshaw, to Robert Lord Boyde and others, February 1560.

156. BE it kend till all men be thir present letteris, me Neile Mungumrie, to be bundin and oblist, and be the tennour heirof binds and oblisis me to ane noble and mychty lord, Robert Lord Boyde, Charlis Mowate of Busbie, Robert Boyde of Clerkland, and Williame Blair in Hendreascroft, that forsamekill that for assythment and obedience to be done to me be the said Robert Lorde Boyde, it is appoyntit betuix me the said Neile vpone that ane pairt, and the said Robert Lord Boyde upone the wther, that the said Chairlis Mowat, Robert Boyde and Williame Blair sall depart of the realme of Scotland to the realme of France, thair to remane duringe my will; and that for the slauchtir of wmquhill Schir Neile Mungumrie of Langschaw, my fadir; as the said appoyntment maid at Glasgw, the tent of Februar, the zeir of God I^{M} V^{c} and sextie zeiris, mair fullie proportis: Neuertheles quhat tyme or how sone it sall happin the said Robert Lorde Boyde, the saidis Chairlis Mowat, Robert Boyde and Williame Blair, and the remanent thair parttakaris contenit in the said contract, to mak to me, Dame Margaret Muir, my modir, and to my brether and sisteris, the omage and fewtie specifyit in the samyn contract, in the burgh of Irvin, and eftir the tennour of the samyn; I be the tennour heirof renunceis that pairt of the said contract quhilk beiris that thay sould depart to France; willing and consentinge that thai remaine in Scotland nochtwithstandinge the samyn, and swa nocht to depart to the said realme of France: In witnes of the quhilk I haif subscriuit this present letter with my hand at the day of Februar, the zeir of God I^{M} V^{c} lx zers, befoir thir witnes, Johne Muir of Rowallane, Johne Fullertoun of Dregarne, Adam Boyd of Penkill, Dauid Berclay of Ladyland, Johne Lokhart of Bar, with vtheris diuers.

NELE MONGUMRY of Langschaw.

LETTERS of SLAINS by Neill Montgomery of Langshaw, and his kin, to Robert Lord Boyd and others, for the slaughter of Sir Neill Montgomery of Langschaw, Knight [1560].

157. To all and syndry quhom it efferis to quhais knawlege thir present letteris saltocum, Nele Montgomery of Langschaw, sone and air of vmquhile Schir Neill Montgomery of Langschaw, Knycht, Hew Erle of Eglintoun, pronevoy and air of vmquhile Hew Erle of Eglinton, quha vas fader to the said vmquhile Schir Neill, Gilbert Erle of Cassilles, Lord Kennedy, nerrast branche elenatly succedit of vmquhile Johne Lord Kennedy, brother to vmquhile Kennedy, Lady Montgomery, guddam to the said vmquhile Schir Nele, his twa branchiis on the faderis syid, Archebald Erle of Argyill, Lord Campbell and Lorne, standand for twa of the branchiis on Dame Helene Campbell, his vmquhile moderis syid, elenatly succedit of the hous of Argyill, and hous of Steuart of

Lorne, Greting in God euirlasting: Vittis zour vniuersiteis that we, with ane consent, full consall and assent of all the kin and freindis of the said vmquhile Schir Neill, for ws and tham, for amite, freindschip, tendirnes and familiarite to stand betuex ws and Robert Lord Boyd, and the remanent persones vnderwrittin in tyme cummyng, and for diuers sovmes of mony payet to me the said Neill be the said Robert Lord Boyd, conform to ane contract maid betuex the said Robert Lord Boyd and me the said Neill, of the dait at Glasgw, the tent day of Februar, the zeir of God, ane thousand fyve hundretht and sextie zeris, to haif remittit and forgevin and be thir present letteris, for ws and the remanent of the kin and freindis of the said vmquhile Schir Neill, and for all and syndry our kin, freindis, successouris and allya, remittis and forgevis, puirly and sympilly renuncis for now and euir, to the said Robert Lord Boyd, Charles Movat of Knokintebir, Johnn Brisbane of Bischeptoun, Dauid Fairly zoungar of that Ilk, Robert Boyd in Clerkland, and Archebald Boyll, now vardour of Rysholm, and William Blair in Henrecroft, thair kin, freyndis, parttakaris and complices, the maleis, rancour and hatrent of our hartis and myndis, callit (croo and gaw), and all actiones criminall and ciuill, quhilkis we, or ony ane of ws, had, hes, or vthervyis may haif in tyme cumming, aganis the saidis persones, or ony of tham, thair kin, freindis, seruandis, parttakaris and complices, for the cruell and violent slauchter of the said vmquhile Schir Neill; swa that we, nor nane of ws, nor nane of oures aires, barnes, nor zet nane of our kin nor freindis, of our fadersyd nor modersyd, nor nane vtheris in our names haifand command of ws or pover thairvpoun, nor na vtheris that we may lat, sall haif, aggrege, or clame ony maner of actiones aganis the saidis persones, thair kin, freindis, seruandis, parttakares and complices, nor zet sall follow nor persew tham for the said slauchter be ony maner of vay in tyme cummyng: Certefeing thairfor zow, and all and syndry quhom it efferis, that the said Robert Lord Boyd, for him and the remanent persones aboun writting, thair kin, freindis, seruandis, assistaris and parttakares, be vertew of the said contract, hes made full assythment and full satisfactioun for the said slauchter: and this to all and syndry quhom it efferis we mak it knavin be thir presentes: In vitnes herof to thir our present letteris of slayance, subscriuit with our handis, our seillis ar to hungin, at the day of the monetht of , in the zeir of God I^{M} V^{c} and zeris, befoir thir vitnes .

CASSILLIS. EGLYNTOUN. AR. E. ERGYLL.

REVOCATION by Hugh third Earl of Eglintoun, of Charters granted and acts done by him in his minority, 30th September 1561.

158. Curia capitalis vicecomitatus de Air, post festum Sancti Michaelis, tenta in pretorio eiusdem, coram nobili et egregio viro Matheo Campbell de Loudoun vicecomite de Air, Joanne Lokhart de Bar, Joanne Schaw de Haly, Thoma Craufurd de Camppell, Carolo Campbell de Skeldoun, Roberto Craufurd de Clolynane, Alexandro Nesbet de Bankheid, Villielmo Campbell de Horscleuche, Roberto Campbell de Craigdow et Nicolaio Scherar

vicecomitibus deputatis de Aire, coniunctim et diuisum, die vltimo mensis Septembris, anno Domini millesimo quingentesimo sexagesimo primo, sectis vocatis, curia confirmata.

THE quhilk day comperit in jugement ane noble and potent Lord, Hew Erle of Eglintoun, etc., now cumand to zeris of discretioun, and vndirstanding him to be gretumly hurt and defraudit in his minoritie and lessage, be the making, geving and graunting of the alienationis, giftis and dispositionis vndirspecifeit to the enorme lesioun of his hous, honor and proffeit, without gud deid or proffeit resauit be him or to his vtilitie or proffeit, haveand thairthrow gud occasioun and actioun to reuock, cass and annull the samyn, and all that followit, or might follow thairupoun, as is particularly eftir specifeit: That is to say, hes maid, and makis, be thir presentis, reuocatioun of all alienationis, dispositionis, actis, contractis, obligationis, giftis quhatsumeuir of his landis and gudis, movable and vnmovable, done be him to his hurt in his minoritie and lessaige, and speciallie reuockit the contract maid betuix him, on that ane pert, and Nele Montgumrie of Langschaw, on that vthir pert, of the dait the day of in the zeire of God I^M V^c lvi zeris; the chartour blanche maid be the said Erle to the said Nele of the landis of Langschaw, Galloubereis Crewoche, Mylnstanflatt, Kylbryd, with donatioun of cheplanreis beneficeis thairof; with the landis callit Alhallouchapell, Crevardow, Annyman, and certane vthir landis liand within the erledome of Carrik; ane discharge gevin be the said Erle to the said Nele of the burnyng of the tymmer of Eglintoun, and spulzeinge of the gudis out of the same, and spoliation of the said Erles euidentis out of the place of Polnone: Item, ane precept of favours gevin be the said Erle to the said Nele of the landis of Kilbryd, Mylnstanflatt, Crewoch Galloubereis: Item, the contract maid betuix the said Erle for the perte of Jene Montgomery his sister, on that ane perte, James Stewart of Cardonnald, and Matho Stewart his sone, on that vther pert, of the dait the day of the zeir of God I^M V^c lx zeris: Item, the contract betuix my Lord Duik for the perte of Johanna Hammiltoun his douchter, on that ane perte, and the said Erle on that vther perte, of the dait the xiij day of Februar, the zeir of God I^M V^c and liii zeris: Item, the contract maid betwix the said Erle, on that ane pert, and vmquhile Dame Marioun Setoun his moder, on that vther pert, of the dait the day of the zeir of God I^M V^c lviij zers: Item, the contract maid betuix the said Erle, vmquhile Maister Johnne Robertsoun, burges of Edinburgh, and Beatrix Schewage his spous, on that ane vthir pert, of the daitt the xx day of Junii the zeir of God I^M V^c lviij zeris: Item, the precept of sesing maid, selit, and subscryuit to William Ker of Trearne, of the landis of Trearne, as air to his fathir, and thaireftir his resignatioun of the saidis landis maid be the saidis Williame in the handis of the said Erle as superior thairof, in favours of the said Williame and his wyf; and siclyk reuockis the rentallis maid be the said Erle to ony person or personis of the landis of Ardrossane, Roberton, or Eglintoun, or ony pert thairof, and specialie the rentale maid be the said Erle to Alexander Broun of the stedding of Auchinschangand, liand in the said barony of Ardrossane; the rentale maid be the said Erle

to Alexander Michell of Fresellishill of the landis callit the Cruik the Feus, and quarter of the Manis of Eglintoun; the landis of Mancur, Gemmillscroft and Spretward, liand within the lordschip of Eglintoun; or of ony vther landis of the said lordschip; the rentallis maid be the said Erle to Thomas Michell, Johnne Michell, Thomas Michell his sone, of the samyne landis, togidder with all rentallis maid be the said Erle of the landis and steddingis in the barony of Eglisholme, Eistwod, Tankertland, Muireleyis, Langsyid, to ony persone or personis; and specialie the rentale maid be the said Erle to Williame Mure of Glanderstoun of the mark land of Querrelholl, and the rentale maid be the said Erle to Symont Makgill of the landis of Kirkmure of Eglisholme, lyand in the said barony of Eglisholme; togidder with quhatsumeuir rentall maid be the said Erle to ony person or personis of the landis of Bonyntoun and Piltoun, liand within the shirefdome of Louthiane: Item, ane precept selit and subscruit be the said Erle to geve sesing to Patrik Montgomery of Gyffein, as aire to vmquhile Montgomery of Giffein, of the landis of Gyffein and vthiris his landis haldin of the said Erle; the gift of warde, releif and nonentres disponit be the said Erle to Robert Ker of Kerrisland, of the xx merk land of Kerrisland; togidder with ane new infeftment maid, selit and subscryuit be the said Erle of the saidis landis of Kerrisland to the said Robert; and in lykwayis the gift of nonnentres, ward and relief of the landis of Ramfurle Mynnok, maid be the said Erle to the said Robert: Item, the new infeftment maid, selit and subscruit be the said Erle to Johnne Mure of Cauldwall of the landis of Ramisheid and Bigartis: Item, ane precept of sesing gevin be the said Erle to the said Johnne of the landis of Thorntoun, togither with the new infeftment maid, selit and subscryuit be the said Erle to Hew Mure, sone and apperand are to the said Johnne Mure of the saidis landis of Ramisheid and Biggartis, vpoun the said Johnnis resignatioun: Item, the gift of the ward, releif and nonentres disponit be the said Erle to the said Johnne Mure of Cauldwall of the lands of Bredstane: Item, the gift of the warde, relief and nonentres disponit in lykwayis be the said Erle to Archebald Mure, bruthir to the said Johnne Mure, of the xx^{li}. land of Snodgerss, of the landis of Montgomereis Mynnok, Ramfurleis Mynnok and Braidstane, with the bailliery of Beyth: Item, the dispositioun maid be the said Erle to his kyndnes and possessioun of the landis of Drumgrane to the said Williame Mure of Glanderstoun: Item, ane infeftement maid be the said Erle to Adame Montgomery, sone and apperand are to Johnne Montgomery of Bredstane, of the xij mark land of Braidstane, and xl^{li}. land of Montgomereis Mynnok; the precept of sesing gevin be the said Erle to Neill Montgomery of Langschaw, of the landis of Galloubereis, Crevocht, Mylnstanflatt and Kilbryid; the gift of warde, releif and nonentries of the landis of Lochwod, disponit be the said Erle to James Lokhart of Lee; the gift of the merkland of Annanhill, of the warde, none entre and releif thairof, disponit be the said Erle to James Mowat of Moitt: Sicklyk xx blanck wryttingis subscryvit and delyuerit be the said Erle to the said William Mure; five blanckis to the said Johnne Mure; and four blanckis to the said Archibald Mure, the foirsaidis landis and bailliere liand within the shirefdome of Aire: Becaus the same proceidit and wes done imprudentlie be the said Erle in his minoritie and lessage,

and swa the saidis alienationis, infeftmentis, dispositionis, giftis, resignatiounis, obligatiounis, rentallis, blank wryttingis, vpoun the law are null in the self, and of nane avale, force, nor effect, with all that followit thairupoun; protestand, thairfoir, that the said Erle, reuokand as said is, may be restorit *in integrum* agane thareto, sicklyk as the samyn had newre bene disponit nor annaliit, gevin, promittit, or done be him; with all byrun males, fermes, proffettis and dewiteis thairof, according to the prouisioun of the common law: Quhilk reuocatioun and protestatioun wes resauit and admittit in sa far as the law promittis in sic causes. Extractum de libris actorum curie vicecomitatus de Air, per me Johannem Blair de Mydill Auchindrane, notarium publicum ac dicte curie scribam sub meis signo et subscriptione manualibus.

JOHANNES BLAIR.

COLLATION by Pope Paul III. to John Howstowne of a Canonry in the Cathedral of Glasgow, 26th June 1547.

159. PAULUS episcopus seruus seruorum Dei, venerabili fratri Balneoregiensi episcopo ac dilectis filiis precentori et subdecano ecclesie Glasguensis, salutem et apostolicam benedictionem. Hodie, cum dilectus filius, Johannes Howstowne, presbyter Glasguensis diocesis, cui nuper de canonicatu et de Glasgow secundo vicaria nuncupata prebenda ecclesie Glasguensis, tunc per liberam resignationem dilecti filii Johannis Sprewle, etiam tunc ipsius ecclesie canonici, de illis quos tunc obtinebat per certum procuratorem suum, ad id ab eo specialiter constitutum, in manibus nostris sponte factam et per nos admissam, vacantibus concesseramus prouideri concessioni gratie huiusmodi, literis apostolicis desuper non confectis, per certum procuratorem suum, etiam ad id ab eo specialiter constitutum, in eisdem manibus sponte et libere cessisset. Nosque cessionem ipsam admittentes de dictis canonicatu et prebenda, vt prefertur, vacantibus et antea dispositioni apostolice reseruatis prefato Johanni Sprewle per quasdam prouidissemus. Nos eidem Johanni Howstowne, quod, dicto Johanne Sprewle cedente vel decedente, aut canonicatum et prebendam predictos alias quomodolibet dimittente vel amittente, et illis quouismodo etiam apud sedem apostolicam vacantibus, et in certos alios tunc expressos euentus liceret sibi ad dictos canonicatum et prebendam liberum habere accessum et ingressum, per alias nostras litteras indulsimus, prout in singulis litteris predictis plenius continetur. Quocirca discretioni vestre, per apostolica scripta mandamus quatenus vos, vel duo aut vnus vestrum, si et postquam dicte posteriores littere vobis presentate fuerint, per vos, vel alium seu alios, faciatis auctoritate nostra eumdem Johannem Howstowne facultate iuris accedendi et ingrediendi, ac, in euentum accessus et ingressus huiusmodi, possessione dictorum canonicatus et prebende, et illis forsan annexorum iuxta indulti predicti continentiam pacifice gaudere; non permittentes, eum desuper per quoscunque quomodolibet indebite molestari, contradictores per censuram ecclesiasticam, appellatione postposita, compescendo; Non obstantibus omnibus que in dictis posterioribus litteris voluimus non obstare: Seu si venerabili fratri nostro archiepiscopo et dilectis filiis, Capitulo Glasguensi vel quibusuis

aliis, communiter vel diuisim, ab apostolica sit sede indultum quod interdici, suspendi vel excommunicari non possint, per litteras apostolicas non facientes plenam et expressam ac, de verbo ad verbum, de indulto huiusmodi mentionem. Datum Rome apud Sanctumpetrum, anno Incarnationis Dominice millesimo quingentesimo quadragesimo septimo, sexto kalendas Julii, pontificatus nostri anno tercio decimo.

PROCESS of DIVORCE at the instance of Hugh third Earl of Eglintoun against his first Countess, Jane Hammiltone, 2nd April — 29th May 1562.[1]

160. ISTE est processus habitus et deductus coram venerabili viro, Magistro Joanne Houstoune, canonico ecclesie metropolitane Glasguensis, et de Glasgu secundo in eadem nuncupata prebenda prebendario, ac reuerendissimi in Christo patris et domini, Joannis miseratione diuina Sanctiandree Archiepiscopi, regni Scotie primatis, ac cum potestate legati a latere sedis apostolice legati, iudice et commissario subdelegato, in quadam causa diuortii mota inter nobilem et potentem dominum, Hugonem comitem de Eglintoune, dominum Montgomerie, ab vna, et nobilem domicellam, Joannam Hammiltoune, eius sponsam putatiuam, ab altera partibus.

Die secundo, mensis Aprilis, anno Domini millesimo quingentesimo sexagesimo secundo.

Quo die, Magister Hugo Montgomerie, vicarius ecclesie parochialis de Dundonald, ac procurator et eo nomine nobilis et potentis domini, Hugonis, comitis de Eglintoune, domini Montgomerie, producens quoddam procuratorium, subscriptum manu ipsius domini comitis, accessit ad personalem presentiam venerabilis viri, magistri Joannis Houstoune, ecclesie metropolitane Glasguensis canonici, et de Glasgu secundo in eadem nuncupata prebenda prebendarii, eidemque presentauit quandam commissionem reuerendissimi in Christo patris et domini, Joannis miseratione diuina Sanctiandree archiepiscopi, regni Scotie primatis, ac cum potestate legati a latere sedis apostolice legati, sub forma breuis sibi directam, eundem magistrum Joannem humiliter requirendo quatenus huiusmodi commissionem super se acceptaret, et in eadem procedere dignaretur, juxta formam et tenorem eiusdem: Qui magister Joannes eandem commissionem, reverentia qua decuit, ad manus recepit et perlegit, et statim super se acceptauit: Et post acceptationem huiusmodi, prefatus magister Hugo procurator antedictus prescripti domini comitis, quandam citationem super suprascripta nobili domicella, domina Joanna Hammiltone, ad instantiam prefati domini comitis, vigore dicte commissionis, instanter petiit et postulauit: Quamquidem citationem prefatus magister Joannes, judex et commissarius antedictus, concessit, et in forma debita dirigi super ipsa domina Joanna decreuit: Super quibus ipse magister Hugo procurator, petiit instrumentum et instrumenta. Acta erant hec in ecclesia metropolitana Glasguensi, hora decima

[1] There are two copies of this process, which are substantially the same, and both have been used in adjusting the text.

ante meridiem vel ea circa; presentibus ibidem Joanne Steward de Bowhous, et domino Ricardo Harbertsoune, notario publico, cum diuersis aliis.

Sequitur tenor procuratorii de quo supra fit mentio.

Vniuersis pateat per presentes, nos Hugonem Montgomerie comitem de Eglintoune constituisse, nominasse, creasse et ordinasse, necnon tenore presentium constituere, nominare, creare et ordinare discretos viros, magistros Hugonem Montgomerie, vicarium de Dundonald, Joannem Steward de Bowhous, et eorum quemlibet in solidum, coniunctim et diuisim, nostros veros legitimos et indubitatos procuratores, actores, factores et negotiorum nostrorum infrascriptorum gestores, ac nuncios speciales et generales; dantes, concedentes et committentes dictis nostris procuratoribus, et eorum cuilibet, coniunctim et diuisim, nostram veram, legitimam et plenariam potestatem, ac mandatum speciale et generale, ad, pro nobis et nomine nostro, quibuscunque diebus et locis, comparendum coram venerabili viro magistro, Joanne Houstoune, canonico, *etc.* [ut supra], ac sibi, cum omni reuerentia et humilitate, et suis collegis, presentandum vnam commissionem eiis et eorum cuilibet directam per reuerendissimum in Christo patrem et dominum, Joannem miseratione diuina Sanctiandree archiepiscopum [*etc.* ut supra], in quadam causa et actione, mota seu mouenda per nos, contra nobilem domicellam dominam Joannam Hammiltoune, nostram sponsam putatiuam, humiliter rogantes dictum magistrum Joannem, et suos collegas, in prefata commissione nominatos, ad acceptandum dictam commissionem super se; et iuxta formam et tenorem eiusdem, procedendum in dicta causa; et post acceptationem dicte commissionis ad petendum citationem legitimam et alios processus necessarios contra dictam dominam Joannam decerni, nostram absentiam excusandum, et generaliter omnia alia et singula faciendum, gerendum, et exercendum, que in premissis, et circa ea, necessaria fuerint, seu etiam quomodolibet opportuna, et que nosmet faceremus si premissis personaliter interessemus; cum potestate dictis nostris procuratoribus et eorum cuilibet, ad substituendum alios procuratores sub se, qui habebunt similem potestatem sicut nostri procuratores suprascripti; firmum et stabile habentes et habituros id totum et quicquid dicti nostri procuratores, aut eorum substituti seu substituendi, in premissis fecerint, seu duxerint faciendum, sub ypotheca et obligatione omnium bonorum nostrorum, mobilium et immobilium, presentium et futurorum. In cuius rei testimonium, presentibus, manu nostra subscriptis, sigillum nostrum est appensum, apud locum nostrum de Eistwod, die penultimo Martii anno I^{M} V^{c} sexagesimo secundo. Subscriptio: Hew Erle of Eglyntone.

Sequitur primum actum iudiciale.

Die decimotertio mensis Aprilis, anno Domini I^{M} V^{c} lxii.

Quo die, sedente pro tribunali Magistro Joanne Houstoune canonico ecclesie metropolitane Glasguensis, ac commissario et iudice subdelegato sedis apostolice, comparuit nobilis et potens dominus, Hugo Comes de Eglintoune, etc., et produxit quandam citationem prescripti Magistri Joannis, iudicis predicti, super dicta nobili domicella, domina Joanna Hammiltoune, sponsa putatiua ipsius comitis, debite executam per Magistrum Hugonem Montgomerie, ad comparendum

coram dicto domino iudice subdelegato, suisve collegis, pluribus aut vno, die, hora et loco in huiusmodi citatione contentis; vigore cuius petiit causam et causas appellationis et appellationum huiusmodi inter predictas partes motas, cum universis et singulis suis incidentibus, dependentibus, emergentibus, connexis et annexis, coram ipso deuolui et tractari, seu deuolutam et deuolutas fore et esse, decerni et declarari; ac in causa et causis huiusmodi, ad omnes et singulos actus et terminos iudiciales, gradatim et successiue, usque ad sententie diffinitiue prolationem, in eadem inclusiue, debitis et consuetis terminis et delationibus precedentibus, procedi; vel ad allegandum et probandum causam seu causas, rationabilem seu rationabiles, quare premissa omnia et singula fieri non deberent, cum intimatione publica ut moris est. Ex aduerso, comparuit dominus Allanus Portafeild, notarius publicus, ac vicarius de Ardrossane, procurator dicte domine Joanne, ad hoc, producens procuratorium, lectum et admissum, cuius tenor sequitur et est talis.

Vniuersis pateat per presentes, me dominam Joannam Hammiltoune, filiam legitimam nobilis et potentis domini, Jacobi Comitis de Arrane, fecisse, constituisse, et ordinasse Allanum Portafeild, Magistrum Jacobum Blair etc., meos veros legitimos et indubitatos procuratores [*etc. ad defendendum et respondendum pro se in dicta causa*]. In cuius rei testimonium, presentibus notarii publici de mandato nostro subscriptis, signetum meum est affixum, apud Hammiltoune, die decimo mensis Aprilis, anno Domini I^{M} V^{c} lxii. Subscriptio; Ita est dominus Allanus Portafeild, notarius publicus, de mandato dicte Joanne, manu propria.

Et statim, dictus iudex et commissarius, in presentiis dicti comitis, et domini Allani Portafeild, procuratoris, dicte domine Joanne, decreuit, dictam causam deuoluendam fore prout eandem devoluit, vnde ad libellandum assignauit xxii Aprilis proximi; et dictus procurator protestatus est pro copia dicti libelli, quam iudex dare decreuit. Et statim dictus comes produxit huiusmodi libellos, in duplici forma, et ad respondendum eisdem assignauit diem xxii predictum, procuratoribus partium citatis. Sequitur tenor citationis.

Joannes Houstone, ecclesie metropolitane Glasguensis canonicus [*etc.* ut supra], specialiter deputatus cause et partibus infrascriptis, vnacum venerabilibus viris, Magistris Joanne Hammiltoune et Archibaldo Crawfurd dicte ecclesie Glasguensis concanonicis, nostris in hac parte collegis, cum illa clausula, vobis et vestrum cuilibet, coniunctim et diuisim, universis et singulis dominis abbatibus, prioribus, prepositis, decanis, rectoribus, vicariis, perpetuis curatis et non curatis, notariisque et tabellionibus publicis quibuscunque per ciuitatem et diocesim Glasguenses, ac aliis vbilibet constitutis, ac illi vel illis, ad quem vel quos, presentes litere peruenerint, salutem: Litteras reverendissimi in Christo patris et domini, Joannis Sanctiandree archiepiscopi, etc., in forma breuis, sub suo signeto, sanas siquidem et integras, non viciatas, non cancellatas, nec in aliqua sui parte suspectas, sed omni prorsus vitio et suspicione, ut in prima facie apparebat, carentes, nobis, pro parte nobilis et potentis domini, Hugonis comitis de Eglyntoune, domini Montgomerie, principalis in preinserta commissione principaliter nominati, coram notario publico et testibus infrascriptis presentatas; nos, cum ea qua decuit reuerentia, noueritis, recepisse huiusmodi sub tenore (subsequente): Dilectis filiis in Christo Joanni Hammiltoune succentori Glasguensi, Archibaldo

Crawfurd et Joanni Houstoune, dicte ecclesie metropolitane Glasguensis concanonicis, Salutem; vobis coniunctim et diuisim mittimus commissionem introclusam, quatenus causam partibus infrascriptis tractare, et in eadem procedere dignemini rogamus, iuxta et secundum nostre commissionis formam et tenorem. Datum apud Paslay, Glasguensis diocesis, die primo mensis Aprilis, anno Domini I^{M} V^{c} lxii. In dorso vero dicti breuis, scripta erant hec verba: Dilectis nostris Joanni Hammiltone, Archibaldo Crawfurd, et Joanni Houstoune, ecclesie metropolitane Glasguensis concanonicis.

Sequitur tenor commissionis introcluse.

Joannes miseratione diuina Sanctiandree Archiepiscopus, tocius regni Scotie primas [*etc.* ut supra], dilectis magistris et dominis, Joanni Hammiltoune, succentori Glasguensi, Archibaldo Crawfurd et Joanni Houstoune, concanonicis eiusdem ecclesie, ac commissariis nostris subdelegatis in hac parte, coniunctim et diuisim, specialiter deputatis, salutem in Domino. Ex parte nobilis et potentis domini, Hugonis Comitis de Eglintone, domini Montgomerie, oblata petitio, continebat, quod cum aliis, ipse dominus Hugo predictus, diuersis vicibus, videlicet, per se et nomine proprio, deinde, mediante suo certo procuratore in hac parte, videlicet, magistro Hugone Montgomery, vicario de Dundonald, suadente, infrascriptis appellauerit, et prouocauerit, grauemque querelam seu querelas interposuerit. Nempe a venerabili viro magistro Roberto Harbertsoune, vicario de Abruthven, commissario generali, quoad vniuersitatem causarum et actionum, Glasguensi, ibidem tractandarum; deinde et successiue a reuerendo in Christo patre et domino, Henrico Dei et apostolice sedis gracia episcopo Rossensi, vicario generali domini Jacobi archiepiscopi Glasguensis, fratris nostri, in remotis ad presens agentis, specialiter constituto, tanquam a superiore dicti domini commissarii ad nos, ratione nostre preeminentie primatieque regni: Etiam vigore facultatis et legatie apostolice prefate nobis concesse respectiue pro iuris remedio desuper adhibendo prout ex officio in hac parte astricti tenemur: Nempe ob denegatam iustitiam sibi domino appellanti predicto cum instantia debita ab illis vtrobique petitam et requisitam penes cognitionem et decisionem ordine iudiciario, in quadam causa simplicis diuortii quam prefatus dominus Hugo comes habere pretendit contra et aduersus nobilem domicellam dominam Joannam Hammiltoune, eius sponsam putatiuam, prout de jure: Et cum idem dominus comes appellans huiusmodi appellationem seu appellationes, et querele causam seu causas huiusmodi nunc prosequi intendens, nobis humiliter appellationes suas predictas respectiue, vt prefertur, confectas nobis, mediante suo procuratore predicto, videlicet, magistro Hugone Montgomerie, rite presentauerit pro iuris remedio desuper adhibendo; supplicarique fecerit humiliter eo pretextu idem nobilis dominus appellans nobis, quatenus causam et causas appellationum et querele huiusmodi predictas in prefatis appellationibus expressatas, aliquibus probis viris audientibus cognoscentibus decidentibus et fine debito terminantibus secundum iusticiam, committere et decernere dignaremur, vigore appellationum predictarum: Vnde nos zelo iustitie in hac parte, moti ipsius appellantis et supplicantis peticioni seu supplicationi merito duximus annuendum prout annuimus in his scriptis. Discretioni, igitur, vestre vices nostras, in hac parte, premissorum intuitu, rite duximus committendas, sperantes indubie quod, ea que vobis duxerimus committenda in hac parte, rite et

legitime tractare et terminare prout iuris fuerit curabitis: Vobis, igitur, commissariis predictis, et vestrum cuilibet, coniunctim et diuisim, huiusmodi appellationum et querele causam seu causas, quam seu quas, prefatus nobilis comes de Eglyntone habet et mouet habereque et mouere vult et intendit contra et aduersus prefatam nobilem domicellam, nempe dominam Joannam Hammiltoune, eius sponsam putatiuam, cum huiusmodi cause et causarum emergentibus, incidentibus, connexis et annexis ac dependentibus, vnacum toto negotio principali auctoritate nostra qua supra respectiue appellationum et querele predictarum audiendi, cognoscendi, decidendi, et fine debito, secundum iustitiam terminandi; partes ipsas et testes ad iudicia vocandi; libellum seu libellos, et quascunque peticiones summarias dari desuper et proponi decernendi, producique faciendi, eisdem responderi faciendi, iuramentum calumpnie desuper, et quoduis aliud iuramentum licitum et de iure requisitum a partibus ipsis prestari faciendi et recipiendi; necnon testes in premissis necessarios recipiendi, eosque iurari faciendi; Et si qui illorum gracia, odio, timore, vel fauore subtraxerint fidele testimonium perhibere veritati in hac parte, illos per censuras ecclesie arctius compescendi et compellendi: Quecunque iura, acta, documenta et alia probationum genera necessaria produci et recipi faciendi: ac in causa seu causis huiusmodi ad omnes actus et terminos iudiciales gradatim et successiue vsque ad sententie diffinitiue prolationem in eisdem inclusiue procedendi: Sententias quascunque, tam interlocutorias quam diffinitiuas, desuper promulgandi et pronunciandi, easdemque executioni debite vnacum expensarum taxatione prout de iure demandandi: Et generaliter omnia alia et singula, que in premissis necessaria fuerint seu etiam quomodolibet opportuna, faciendi, gerendi, exercendi, cum canonice cohercionis potestate plenaria in premissis omnibus et singulis prout de iure facultate: Ad que facienda nostram, tenore presentium, vigore nostre preeminentie, primatie regni et legatie apostolice predicte nobis gratiose concesse vt prescribitur, suadentibus premissis, committimus potestatem, et facultatem in domino impertimur specialem. In cuius rei testimonium manu nostra subscriptis, signetum nostrum est affixum, apud monasterium de Paslay die primo mensis Aprilis, anno Domini millesimo quingentesimo sexagesimo secundo, consecrationis nostre decimoquinto, et ad regni primitialem sedem translationis anno duodecimo.

Post quarumquidem literarum apostolicarum dicti domini primatis presentationem et receptionem nobis, et per nos, ut premittitur, factas, fuimus pro parte dicti domini Hugonis Comitis de Eglintone, debita cum instantia, requisiti quatenus citationem legitimam vnacum inhibitione inserta contra et aduersus dictam dominam Joannam Hammiltoune ex aduerso principalem, omnesque alios et singulos sua, communiter vel diuisim, interesse habentes seu habere pretendentes, concedere et decernere dignaremur, in forma solita et consueta: Nos igitur Joannes Houstone commissarius et iudex subdelegatus antedictus, attendentes requisitionem huiusmodi fore iustam et rationi consonam, volentesque partibus ipsis iustitiam ministrare ut tenemur; idcirco, auctoritate apostolica nobis commissa, et qua fungimur in hac parte, vos omnes et singulos supradictos et vestrum quemlibet in solidum, coniunctim et diuisim, districte precipiendo mandamus quatenus infra sex dierum spatium post notificationem seu presentationem presentium vobis, seu alteri

vestrum, factam prefatam nobilem domicellam, dominam Joannam Hammiltoune ex aduerso principalem, omnesque alios et singulos sua, communiter vel diuisim, interesse habentes seu habere pretendentes, si ipsorum presentias commode habere poteritis, alioquin in hospitiis habitationum suarum, et in eorum parochialibus ecclesiis, tempore diuinorum, ex parte nostra ymmouerius, apostolica auctoritate, publice et intelligibili voce legitime citare curetis: Ita quod verisimile sit presentem nostram citationem ad ipsius, domine Joanne, et aliorum interesse habentium, indubitatas noticias devenire, videlicet, dictam dominam Joannam Hammiltoune, et alios interesse habentes, quam et quos nos tenore presentium sic citamus quatenus, decimotercio mensis instantis Aprilis, coram nobis aut altero nostrum seu nostris, aut alterius nostrorum subdelegatis seu subdelegandis, pluribus aut vno, in dicta ecclesia metropolitana Glasguensi, hora decima ante meridiem, per se vel procuratores suos idoneos, plures aut vnum, ad causam et causas huiusmodi sufficienter instructos, cum omnibus et singulis actis, actitatis, literis, scripturis, iuribus et munimentis, causam et causas huiusmodi, et earum deuolutionem tangentibus et concernentibus, compareant in iudicio prefato nobili comiti, vel suis procuratoribus legittimis, pluribus aut vni, de et super omnibus et singulis in dicta commissione apostolica contentis, responsuri; necnon ad videndum et audiendum causam et causas appellationis et appellationum huiusmodi, cum singulis suis incidentibus, dependentibus, emergentibus, connexis et annexis, coram nobis, aut altero nostrum seu nostris, aut alterius nostrum subdelegatis seu subdelegandis, pluribus aut vno, deuolui et tractari, seu deuolutam et deuolutas esse et fore, decerni et declarari; ac in causa et causis huiusmodi, ad omnes et singulos actus et terminos iudiciales, gradatim et successiue, vsque ad sententie diffinitiue prolationem in eadem inclusiue debitis et consuetis terminis et dilationibus, ut moris est, precedentes, processuri et procedi visuri, aliasque facturi, dicturi, allegaturi, quod iusticia suadebit et ordo dictauerit rationis; certificando eosdem sic citatos, quod siue in dicte citationis termino comparere curauerint, siue non, nos nichilominus, aut nostri suprascripti, ad premissa omnia et singula procedemus, procedent, seu procedet, ad partis comparentis et causam, seu causas huiusmodi prosequi curantis iustitiam, iusticia mediante, ipsorum sic citatorum absentia vel contumatia in aliquo non obstante; insuper, prefata citatione debite executioni demandata, attendentes quod in causa et causis huiusmodi nihil sit innouandum seu attemptandum; vobis igitur, et vestrum cuilibet vt supra, precipimus et mandamus quatenus dicto reuerendo patri domino, vicario generali Glasguensi, ac prefato commissario generali eiusdem, ceterisque iudicibus quibuscunque, et aliis quorum interest aut interesse poterit quomodolibet in futurum expresse inhibeatis; quos nos tenore presentium expresse inhibemus, ne ipsi, aut eorum alter, in vilipendium litispendentie et iurisdictionis nostre dictique nobilis domini preiudicium et grauamen, in causa et causis predictis per se, vel alium seu alios, publice vel occulte, directe vel indirecte, quouisquesito, colore, vel ingenio, aliquid innouare seu attemptare presumant: Quod si secus factum fuerit, id totum reuocare, et in pristinum statum reducere, curabimus, iustitia mediante; volumus tamen copiam fieri de presentibus petentibus, et eam habere debentibus, petentium quidem sumptibus et expensis: In quorum omnium et singulorum fidem et testimonium

premissorum has presentes literas siue hoc presens publicum instrumentum, citationem et inhibitionem in se continentes sive continens, exinde fieri fecimus, et per notarium publicum subscriptum subscribi et publicari mandamus, sigillique nostri iussimus et fecimus affixione communiri: Datum et actum infra ciuitatem Glasguensem, die decimo mensis Aprilis, anno Domini I^{M} V^{c} sexagesimo secundo, coram his testibus, Magistro Hugone Montgomerie, Joanne Harbertsoune, et Magistro Henrico Gibsone, notario publico. Sequitur subscriptio notarii: Thomas Knox.

Sequitur tenor indorsationis dicte citationis.

Die quarto mensis Aprilis, anno Domini I^{M} V^{c} lxii^{o}. Quo die ego Magister Hugo Montgomerie, vicarius de Dundonald, accessi personaliter ad castrum de Hammiltoune, locum habitationis et solite residentie dicte domine Joanne Hammiltoune, in cuius foribus dicta domina Joanna erat deambulans in aduentu meo: Et statim, postquam vidit me, ingressa est dictum castrum, fugiens meam presentiam: Et ibidem, vigore dicte citationis apud ianuam dicti castri, dictam dominam Joannam, sponsam putatiuam dicti domini Hugonis, in dicto castro protunc existentem, publice et intelligibili voce citaui ad comparendum die, loco et hora in dicta citatione specificatis: Et quia mihi non patebat tutus ingressus ad eam pro copia sibi danda, dicte citationis affixi copiam super ianuam dicti castri, coram Joanne Fergussone et Joanne Murdoch, et testante manuali mea subscriptione.

Sequitur subscriptio. Ita est Magister Hugo Montgomerie, manu propria.

Die xxii mensis Aprilis anno I^{M} V^{c} sexagesimo secundo.

Quo die, sedente pro tribunali venerabili viro, magistro Joanne Houstone, canonico, *etc.*, in ecclesia metropolitana Glasguensi, et in insula diui Michaelis Archangeli infra eandem, per commissionem ipsius domini legati, hora causarum ante meridiem consueta, ad jura reddenda et causas audiendas, in causa nobilis et potentis domini, Hugonis comitis de Eglintone, contra nobilem domicellam, dominam Joannam Hammiltoune, ipsius sponsam putatiuam, in termino assignato procuratori dicte domine Joanne, ad respondendum libello appellationis ipsius domini comitis, iuxta tenorem acti confecti xiii Aprilis vltimi: Qui procurator dicte domine Joanne Hammiltoune comparens negauit libellum; et statim dictus dominus comes comparens pro probatione huiusmodi libelli, produxit duo instrumenta, formam et tenorem appellationis in se continentia, vnum videlicet subscriptum manu venerabilis viri, videlicet, magistri Georgii Cok, et aliud subscriptum manu discreti viri, domini Thome Knox, notariorum publicorum, iudicialiter recognitorum, et renunciauit vlteriori probationi: Vnde ad impugnandum et obiiciendum contra eadem, iudex et commissarius subdelegatus antedictus assignauit diem vigesimum nonum Aprilis proximum, parte et procuratore dicte domine Joanne Hammiltoune apud acta citatis.

Sequitur tenor huiusmodi libelli de quo supra fit mentio.

Coram vobis venerabili et egregio viro, magistro Joanne Houstoune, ecclesie metropolitane Glasguensis, canonico, ac de Glasgu secundo in eadem nuncupata prebenda prebendario, iudice et commissario subdelegato a sede apostolica specialiter deputato cause et partibus infrascriptis, vnacum venerabilibus viris, magistris Joanne Hammiltoune et Archibaldo Crawfurd, dicte ecclesie

metropolitane Glasguensis canonicis, nostris in hac parte collegis, cum illa clausula vobis et vestrum cuilibet, coniunctim et diuisim, vestris in hac parte collegis, aliove iudice in hac parte competenti quocunque: Pars nobilis et potentis domini, Hugonis Comitis de Eglintoune, apellantis, actoris, ab vna, contra et aduersus nobilem domicellam, dominam Joannam Hammiltoune, eius sponsam putatiuam, seu contra quemcunque alium, pro ea in iudicio legitime comparentem, ream et appellatam, partibus ab altera, dicit, agit, allegat, et, vt sequitur, hunc libellum appellationis in iure proponit, quod licet prefatus nobilis comes de Eglintone accessit ad personalem presentiam magistri Roberti Harbertsoune, vicarii de Abruthven ac commissarii generalis Glasguensis quoad vniversitatem causarum, et petiit ab eodem magistro Roberto, tanquam commissario antedicto, quandam citationem de et super prefata domina Joanna Hammiltoune, occasione simplicis diuortii contra eamdem mouentis et intentantis, ad instantiam prefati domini Hugonis comitis: Non minus tamen ipse magister Robertus huiusmodi citationem dare et decernere penitus refutauit, iustitiam denegando, asserens ipsum minime habere commissionem procedendi in talibus. Deinde ipse dominus comes, mediante suo certo procuratore, videlicet, magistro Hugone Montgomerie, vicario de Dundonald, accessit ad personalem presentiam reuerendi in Christo patris et domini, Henrici Episcopi Rossensis, vicarii generalis reuerendissimi in Christo patris, Jacobi Archiepiscopi Glasguensis, in remotis ad presens agentis, et eundem reuerendum in Christo patrem et vicarium generalem Glasguensem, cum ea qua decuit reuerentia, procuratorio nostro quo supra requisiuit quatenus commissionem legitimam, vigore sui officii vicariatus generalis Glasguensis prefati reuerendissimi patris archiepiscopi Glasguensis, in forma competenti, ad instantiam dicti domini comitis, quibusdem probis viris, cum clausula, coniunctim et diuisim, ad citandum, cognoscendum, ordineque iudiciario procedendum et decidendum, fineque debito terminandum, de et super quadam causa et actione simplicis diuortii mouenti et intentanti per prefatum dominum comitem contra et aduersus prefatam dominam Joannam Hammiltoune, eius sponsam putatiuam, concedere et decernere dignaretur: Quiquidem reuerendus pater episcopus et dominus vicarius generalis antedictus requisitus, respondendo dixit et asseruit prefatum reuerendissimum patrem Jacobum archiepiscopum Glasguensem, habere de presenti officialem et commissarium generalem Glasguensem quoad vniuersitatem causarum, ibidem tractandarum, videlicet magistros Archibaldum Betone, precentorem Aberdonensem, et Robertum Harbertsone, vicarium de Abruthven, respectiue, quibus officiali et commissario generali, ex eorum officio ordinario respectiue, incumbit citare, audire, cognoscere, decidere et legitime terminare auctoritate ordinaria in singulis causis et actionibus mouendis et intentandis interquascunque partes dicte Glasguensis diocesis; insuper, idem respondens, dixit, et asseruit se, cum talibus seu similibus causis seu commissionibus, vigore sui officii vicariatus generalis Glasguensis, et a quo tempore quo functus est eodem, minime intromisisse, nec aliam similem commissionem ad instantiam cuiuscunque, partis agentis seu prosequentis in futurum abhinc posse concedere, neque velle: Et sic de istis causis se desuper excusatum habere petiit, prout de facto se extunc excusauit iustitiam penitus et omnino denegando. Ex premissis igitur, et ob denegatam iustitiam, prefatus dominus comes

sentiens et perpendens se in hac parte lesum, grauatum et iniuriatum, timensque eundem etiam, ut asseruit, plus posse ledi, grauari, in futurumque opprimi. Ex premissis grauaminibus, nempe refutatione seu denegatione iustitie contra et citra omnem iuris ordinem et equitatem, ad reuerendissimum in Christo patrem et dominum, Joannem miseratione diuina Sanctiandree archiepiscopum, regni Scotie primatem, *etc.* ratione facultatis sue legatie sedis apostolice, solemniter pro iuris remedio prouocauit, appellauit, grauemque querelam interposuit, supplicarique fecit humiliter eo pretextu quatenus causam et causas appellationum et querele huiusmodi in predictis appellationibus expressatas, aliquibus probis viris audientibus, cognoscentibus, decidentibus, et fine debito secundum iustitiam terminantibus, committere et dirigere dignaretur. Vnde prefatus dominus legatus, zelo iustitie motus, supplicationi seu petitioni ipsius domini appellantis comitis, cognitionem et decisione huiusmodi appellationis et querele causarum vobis tribus, et cuilibet vestrum, coniunctim et diuisim, commisit. Quare reuerende domine iudex, probatis in hac parte probandis, quantum de iure sufficit citra tamen superfluam probationem ad quam se non astringit, de quo protestatur, petit pars prefati comitis appellantis et libellantis quatenus pronuncietis, decernatis et declaretis per vos et vestram sententiam diffinitiuam prefatum magistrum Robertum, commissarium antedictum, et Henricum episcopum Rossensem ac vicarium generalem Glasguensem iudicem a quo multipliciter lesisse, grauasse, et enormiter iniuriasse et damnificasse ipsum libellantem in denegatione citationis et iustitie; ac propterea ipsum comitem bene, rite et iuridice appellasse et prouocasse; reseruando vobis vlteriorem cause principalis cognitionem iusque et iustitiam in premissis, ipsis partibus ministretis; protestando de huiusmodi libellum addendo, mutando, corrigendo, cum ceteris aliis necessariis. Super his vestrum officium humiliter implorans, reuerende domine iudex antedicte.

Sequuntur tenores instrumentorum de quibus supra fit mentio.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnationis Dominice millesimo quingentesimo sexagesimo primo, die vero mensis Martii decimonono, Indictione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Pii diuina prouidentia pape quinti, anno tercio; in mei notarii publici et testium subscriptorum presentia personaliter constitutus venerabilis vir, Magister Hugo Montgomerie, vicarus ecclesie de Dundonald, procurator et eo nomine nobilis et potentis domini, Hugonis Comitis de Eglintone, domini Montgomerie, accessit personalem presentiam reuerendi in Christo patris et domini, Henrici Episcopi Rossensis, vicarii generalis reuerendissimi in Christo patris et domini, Jacobi miseratione diuina Glasguensis archepiscopi, in remotis ad presens agentis, et eundem reuerendum patrem, dominum vicarium generalem predictum, cum ea qua decuit instantia, procuratorio nomine quo supra, requisiuit quatenus commissionem legitimam, vigore sui officii vicariatus generalis Glasguensis predicti, in forma competenti prout de iure, ad instantiam prefati domini comitis de Eglintoune, quibusdem probis viris, videlicet, Magistris Joanni Hammiltoune, succentori Glasguensi, Archibaldo Crawfurd et Joanni Houstone, concanonicis eiusdem ecclesie Glasguensis, cum clausula coniunctim et diuisim, etc., ad citandum, cognoscendum,

ordineque iudiciario procedendum et decidendum, necnon fine debito, secundum iusticiam, terminandum, de et super quadam causa et actione simplicis diuortii mouenti et intentanti per prefatum nobilem comitem de Eglintone contra et aduersus nobilem domicellam, nempe, dominam Joannam Hammiltoune, eius sponsam putatiuam, concedere et decernere dignaretur; prout ex officio suo predicto in hac parte astrictus tenetur: Quiquidem reuerendus pater, dominus Episcopus et vicarius generalis Glasguensis, sic ut prefertur requisitus modeste, respondendo dixit et asseruit prefatum reuerendissimum dominum, Jacobum archiepiscopum Glasguensem, habere de presenti officialem et commissarium generalem Glasguenses, quoad vniuersitatem causarum ibidem tractandarum, videlicet, Magistros Archibaldum Betoune, precentorem Aberdonensem, et Robertum Harbertsoune, vicarium de Abruthven, respectiue; quibus vero officiali et commissario generali, ex eorum officio ordinario respectiue, incumbit citare, audire, cognoscere, decidere et legitime terminare auctoritate ordinaria, in singulis causis et actionibus mouendis et intentandis inter quascunque partes dicte Glasguensis diocesis, et illius iurisdictionem concernentibus, prout de iure; insuper idem reuerendus pater dixit et asseruit cum talibus seu similibus causis et commissionibus predictis, vigore sui officii vicariatus generalis predicti, et a quo tempore functus est eodem, minime intromisse, nec aliquam aliam aut similem commissionem, ad instantiam cuiuscunque partis agentis seu prosequentis, in futurum abhinc commode posse concedere neque velle, attenta maxime predicta iurisdictione et officio dictorum officialis et commissarii generalis Glasguensium predictorum, eiis respectiue in similibus incumbentibus: Et sic, his de causis, se desuper excusatum habere petiit, prout de facto sic se extunc excusauit: Vnde dictus Magister Hugo Montgomerie, procuratorio nomine quo supra, memorati nobilis domini comitis de Eglintoune, sentiens, vt asseruit, et perpendens prefatum nobilem comitem in hac parte lesum, grauatum et iniuriatum, timensque eundem etiam, vt asseruit, plus posse ledi, grauari et iniuriari in futurum ex premissis, nempe refutatione seu denegatione iustitie in premissis, contra et citra omnem iuris ordinem et equitatem, aliisque forsan grauioribus, tempore et loco congruis exprimens ad reuerendissimum in Christo patrem et dominum, Joannem miseratione diuina Sancti-andree archiepiscopum, regni Scotie primatum, legatum natum, monasteriique de Pasleto abbatem, ac cum potestate legati a latere sedis apostolice legatum, ratione sue primatie preeminentie regni predicti, etiam facultatis sue legatie apostolice, solemniter pro iuris remedio desuper habendo prouocauit, appellauit, et querelam interposuit appellationesque petiit, primo, secundo, tertio, instanter, instantius, et instantissime, ac vicibus repetitis; subiiciensque ipsum dominum comitem omnesque sibi adherere volentes in hac parte, ac ius suum in hac causa, protectioni, tuitioni, et omnimodo defensioni prefati reuerendissimi in Christo patris ac domini legati, protestans etiam de prosequendo huiusmodi appellationem, necnon causam et causas huiusmodi pertractando suis temporibus et locis congruis et opportunis; Saluo iure addendi et ad calamum reformandum aliamque et alias appellationem seu appellationes de nouo interponendas premissis causandi, cum ceteris aliis necessariis et opportunis; de et super quibus *etc.* . . . Acta erant hec Edinburgi, in camera et loco habitationis prefati reuerendi patris,

Henrici episcopi Rossensis, horam circiter octauam ante meridiem; sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem discretis viris, domino Alexandro Pedder, capellano, Jacobo Levingstoune et Thoma Sinclare, familiaribus seruitoribus dicti reuerendi domini Episcopi Rossensis, testibus ad premissa vocatis specialiterque rogatis.

Sequitur subscriptio notarii. Georgius Cok artium magister, *etc.*

Sequitur tenor alterius instrumenti de quo supra fit mentio, etc.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnationis Dominice millesimo quingentesimo sexagesimo primo, mensis vero Martii die decimosexto, in mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis ac potens dominus, Hugo comes de Eglintoune, accessit ad personalem presentiam magistri Roberti Harbertsone vicarii de Abruthven ac commissarii officialatus Glasguensis generalis quoad vniuersitatem causarum infra iurisdictionem et diocesim Glasguensem, inter quascunque partes vertentium, et petiit ab eodem magistro Roberto, tanquam commissario antedicto, quatenus citationem legitimam de et super nobili domina, Joanna Hammiltoune, sua sponsa putatiua, ac filia nobilis et potentis domini, domini Jacobi ducis de Chattellaralt, domini de Hammiltoune, etc., occasione simplicis diuortii contra eandem mouentis et intentantis, ad instantiam ipsius domini Hugonis comitis, nonnullis impedimentis inter eosdem existentibus, daret: Nichilominus tamen ipse magister Robertus asserendo ipsum minime habere commissionem ad procedendum in huiusmodi causa, neque in quibuscunque aliis causis ad instantiam quarumcunque personarum infra diocesim Glasguensem, pro eo quia commissio ipsius magistri Roberti, si quam habuit, fuit penitus et omnino expirata; et propterea citationem sibi domino Hugoni antedicto dare et concedere penitus et omnino recusauit, ius et iustitiam in premissis denegando. Vnde prefatus dominus Hugo appellauit [*etc.* ut in instrumento precedenti]. De et super quibus, *etc.* Acta erant hec infra ciuitatem Glasguensem, in cubiculo ipsius domini comitis, hora tercia post meridiem, vel ea circa, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, Joanne Steward de Bowhous, Magistro Hugone Montgomerie, vicario de Dundonald, et Roberto Crawfurd de Clolynane.

Sequitur subscriptio notarii. Thomas Knox.

Die xxix^{o} mensis Aprilis, anno I^{m} V^{c} sexagesimo secundo.

Quo die sedente pro tribunali venerabili viro, Magistro Joanne Houstone, canonico *etc.*, in ecclesia metropolitana Glasguensi et in insula diui Michaelis archangeli infra eandem, per commissionem ipsius domini legati, hora causarum ante meridiem consueta, ad iura reddenda et causas audiendas in quadam causa nobilis et potentis domini, Hugonis Comitis de Eglintoune, contra nobilem domicellam dominam Joannam Hammiltoune, suam sponsam putatiuam, in termino assignato procuratori dicte domine Joanne ad impugnandum et impugnationes producendum, iuxta tenorem acti confecti xxii Aprilis. Et quia dicta Joanna nec per se aut procuratorem comparuit, nec aliquas impugnationes produxit, iudex predictus super eisdem silentium

imposuit; vnde ad sentenciandum seu interloquendum dictus iudex assignauit diem quartum Maii proxime futurum, ad quem terminum decreuit dictam dominam Joannam citari; procuratore dicti domini Hugonis apud acta legitime citato, etc.

Die quarto mensis Maii, anno Domini I^M V^c sexagesimo secundo.

Quo die *etc.*, in causa sedente pro tribunali [*etc.* ut supra] tanquam in termino literatorie assignato dicte domine Joanne ad videndum et audiendum sententiam ferri seu interloqui, in causa appellationis mota inter dictum nobilem et potentem dominum, ab vna, et dictam dominam Joannam, ab altera partibus, comparuit prefatus dominus comes, et petiit huiusmodi sententiam ferri, quam statim prefatus magister Joannes, iudex et commissarius antedictus protulit sub hac verborum serie; Christi nomine inuocato: Nos Joannes Houstoune, canonicus *etc.* tanquam in termino literatorie assignato dicte domine Joanne ad videndum et audiendum sententiam ferri, iuxta tenorem acti confecti xxix° Aprilis, anno Domini I^M V^c sexagesimo secundo, ex deductis in processu cause appellationis, et signanter appellationibus ipsius nobilis comitis interiectis per eundem [a prefatis vicario generali et commissario Glasguensibus, ad dictum legatum], ratione sue facultatis et legatie apostolice, aliisque cause appellationis huiusmodi meritis rimatis, discussis, et ad plenum visis et intellectis, ac iurisperitorum et prudentium virorum consilio habito et etiam secuto, pro tribunali sedentes et solum Deum pre oculis habentes: Eiusque nomine sanctissimo primitus inuocato, per hanc nostram sententiam diffinitiuam quam ferimus in his scriptis, pronunciamus, decernimus, et declaramus reuerendum patrem, Henricum Episcopum Rossensem, reuerendissimi patris Jacobi archiepiscopi Glasguensis vicarium generalem, necnon ipsum magistrum Robertum Harbertsone commissarium officialitus generalis Glasguensis, lesisse et grauasse ipsum dominum Hugonem comitem, in denegatione iustitie; et propterea ipsum Hugonem comitem antedictum bene et legitime a prefato reuerendo patre, Episcopo Rossensi, vicario generali antedicto, et a magistro Roberto Harbertsoune commissario antedicto appellasse decernimus et declaramus; reseruando nobis vlteriorem cause principalis cognitionem; videlicet, ad libellandum et libellos producendum et porrigendum in principali causa, iudex assignauit diem ad nouam citationem; et statim dictus dominus comes produxit libellos in duplici forma, et ad respondendum eisdem assignauit diem xvi Maii proximi; lecta, lata, et in scriptis promulgata fuit hec nostra sententia diffinitiua, in ipsius domini comitis presentia, eandem cum instantia ferri postulantis, et in penam contumacie dicte Joanne legitime citate, vocate et non comparentis, ad laudem Dei.

Sequitur tenor citationis super dicta Joanne de qua supra fit mentio.

Joannes Houstone [*etc.* ut supra] cause et partibus infrascriptis, dilectis nostris, magistro Hugoni Montgomrie, vicario de Dundonald, et domino Joanni Masone, capellano, seu cuicumque alteri capellano infra diocesim Glasguensem, salutem: Citetis legitime dominam Joannam Hammiltoune, sponsam putatiuam nobilis et potentis domini, Hugonis comitis de Eglintoune, quod compareat coram nobis, seu nostris collegis, pluribus aut vno, in ecclesia metropolitana Glasguensi, et in insula diui Michaelis archangeli infra eandem, die quarto mensis Maii proximi, ad

videndum et audiendum sententiam ferri seu interloqui in causa *etc.*, vel ad allegandum causam rationabilem quare premissa fieri minime deberent, cum intimatione publica vt moris est: Et presentes debite executas earundem latori reddatis: Datum sub nostro signeto ac subscriptione nostri scribe, apud ciuitatem Glasguensem, die vltimo mensis Aprilis, anno Domini I^{M} V^{c} sexagesimo secundo. Sequitur subscriptio scribe: Thomas Knox, notarius publicus, *etc.* Sequitur tenor indorsationis: Executa fuit hec litera per me, magistrum Hugonem Montgomerie, super domina Joanna Hammiltoune, personaliter apprehensa infra castrum de Hammiltone, die primo mensis Maii, anno Domini I^{M} V^{c} lxii, quod compareret coram dicto domino iudice, ad effectum subscriptum, coram domino Joanne Nasmyth, et domino Joanne Masoune, capellanis. Ita est, Magister Hugo Montgomerie, manu propria.

Die decimosexto mensis Maii, anno Domini I^{M} V^{c} lxii.

Quo die sedente, *etc.* . . . In dicta ecclesia Glasguensis, et in insula diui Michaelis, archangeli infra eandem, in termino literatorie assignato dicte nobili domicelle, Joanne Hammiltoune, sponse putatiue dicti nobilis et potentis domini, Hugonis Comitis de Eglintoune, in causa mota inter eosdem, ad respondendum libello diuortii, iuxta tenorem acti confecti quarto mensis Maii instantis, dictus dominus Allanus Portafeild, procurator ipsius Joanne, comparens negauit libellum, vnde ad probandum huiusmodi libellum dictus iudex assignauit diem xxi mensis Maii, procuratoribus partium apud acta citatis; insuper prefatus procurator dicti comitis petiit commissionem dirigi magistro Joanni Sinclare, preposito ecclesie collegiate de Innerpeffray, pro examinatione nonnullorum testium inibi comorantium, quam iudex concessit et dare decreuit, unde ad reportandum huiusmodi commissionem iudex predictus assignauit diem predictum.

Sequitur tenor libelli de quo supra fit mentio.

Coram vobis reuerendo domino magistro Joanne Houstoune, *etc.* . . . pars nobilis et potentis domini, Hugonis comitis de Eglintoune, appellantis, actoris ab vna, contra et aduersus nobilem domicellam, Dominam Joannam Hammiltoune, eius sponsam putatiuam, ream et appellatam, partibus ab altera, agit, allegat, et, vt sequitur, actionem diuortii in iure proponit: Quod licet ipse dominus Hugo, comes de Eglintoune, in sua minori etate, matrimonium de facto, non tamen de iure, cum dicta domina Joanna contraxit, et illud more suo, licet perperam et nulliter, in facie ecclesie solemnizauit, matrimonialiter tamen ad inuicem remanere non possunt, neque de iure debent, causis infradicendis: Ex et pro eo, quia ipsi, Hugo comes de Eglintoune et prefata domina Joanna, sponsa putatiua ipsius, attingunt in quarto et quarto consanguinitatis gradibus, de iure prohibitis, computando gradus vt sequitur; videlicet, quondam Jacobus Dowglas, filius mute domine de Dalkeith, comes de Mortone, genuit quondam Jacobum Dowglas, dominum de Dalkeith, qui quondam Jacobus genuit dominam Margaretam Dowglas, sponsam Jacobi domini Hammiltoune, et matrem dicte Joanne, ree, ex vno latere: Ex alio latere, quedem Joanna Dowglas, soror dicti quondam Jacobi Dowglas, filius mute domine de Dalkeith, peperit quondam Jonetam Hepburne, dominam de Seytone; que domina Joneta peperit dominam Mariotam Seytone, matrem dicti comitis, actoris: Et sic attingunt inuicem in quarto et quarto consanguinitatis

gradibus; necnon dicta Joanna Hammiltoune, a die contractus dicti matrimonii, recessit a fide catholica, et prolapsa est in heresim, et in eadem, animo indurato, adhuc perseuerat, et sic huiusmodi pretensum matrimonium est irritum et inane; quodquidem, consanguinitatis impedimentum impedit matrimonium contrahendum, et de iure derimit matrimonium contractum: Quare reuerende domine iudex et commissarie, premissis probatis ac cognitis quantum de iure sufficit, petit pars domini Hugonis comitis predicti, quatenus huiusmodi pretensum matrimonium sic, vt premissum est, de facto, non de iure, contractum, inter ipsum comitem et dictam dominam Joannam, esse et fuisse de se et ab initio nullum, irritum et inane, obstante impedimento consanguinitatis prescripto: Et propterea, ipsos diuortiari, et diuortium inter eosdem celebrari; ac aliis in domino licentiam et facultatem nubendi tribuendas; ac etiam quicquid alter alteri dederit, causam dotis, vel donationis propter nuptias, fore restituendum, per vos, et vestram sententiam diffinitiuam decerni declarari et pronunciari, prout decernetis, declaretis et pronuncietis. Super his, vestrum officium humiliter implorantes, reuerende domine, iudex et commissarie antedicte, etc.

Die vigesimo primo Maii, anno Domini I^{M} V^{c} sexagesimo secundo.

Quo die, sedente pro tribunali, venerabili viro, magistro Joanne Houstoune [*etc.* ut supra], comparuit prefatus dominus comes, et produxit huiusmodi commissionem cum examinatione testium clausam, necnon testes, videlicet, Joannem Steward de Bowhous et Robertum Crawfurd de Clolynane, iudicialiter iuratos, et renunciauit ulteriori testium productioni: Et statim iudex predictus publicauit producta in presenti causa, vnde ad impugnandum et obiiciendum contra producta, assignauit et statuit diem xxviii mensis Maii, procuratoribus partium citatis.

Sequitur tenor citationis suprascripti Magistri Joannis Sinclare, prepositi de Innerpeffray, super testes.

Joannes Sinclare, ecclesie collegiate de Innerpeffray prepositus, ac commissarius in hac parte venerabilis viri, Magistri Joannis Houstoune [*etc.* ut supra], curato de Innerpeffray, seu cuicunque alteri capellano infra regnum Scotie diuina celebranti, et super executione presentium debite requisitis, Salutem: Legitime citetis Dominam Margaretam Steward, Dominam Gordone, Magistrum Jacobum Gordone, cancellarium Morauiensem, Sibillam Drummond, et Joannam Drummond, quod compareant coram nobis in ecclesia de Innerpeffray, die instante, videlicet, xxii, necnon diebus xxiii et xxiiii instantis Maii, ad perhibendum fidele testimonium veritati super inquirendis ab eiis in causam *etc.*, sub pena excommunicationis; et presentes debite executas carundem latori reddatis: Datum apud collegium de Innerpeffray, die xxi mensis Maii, anno Domini I^{M} V^{c} sexagesimo secundo. Sequitur subscriptio dicti Magistri Joannis Sinclare, prepositi de Innerpeffray, ac commissarii antedicti: Joannes Sinclare commissarius antedictus.

Sequitur tenor indorsationis dicte citationis.

Die xxii mensis Maii, anno Domini I^{M} V^{c} lxii, Ego Andreas Strathenrie, prebendarius de Monze, suprascriptas personas, personaliter apprehensas, publice citaui, coram his testibus; videlicet, Andreas Steward, Willelmo Scott, et Magistro Roberto Messer, vicario de Banquhorie, cum diueris aliis. Sequitur subscriptio. Ita est Andreas Strathenrie, manu propria.

Sequitur tenor commissionis de qua supra fit mentio.

Joannes Houstone, ecclesie metropolitane Glasguensis, *etc.* . . . magistro Joanni Sinclare, ecclesie collegiate de Innerpeffray preposito, salutem. Lite et causa motis inter . . . comitem de Eglintone, actorem ab vna, et . . . Joannam Hammiltone, . . . ab altera partibus, de et super pretensi matrimonii inter eos contracti, et in facie ecclesie solemnizati, dissolutione, et eorum diuortio et separatione, rebusque aliis in actis cause et causarum huiusmodi latius deductis et deducendis, aliis coram nobis motis, et adhuc pendentibus indecisis, in causaque huiusmodi ad nonnullos actus et terminos iudiciales extra tamen cause conclusionem huiusmodi coram nobis rite processum extitit: Sed idem nobilis et potens dominus, actor, asseruit et asserit nonnullos testes infra dioceses Sanctiandree et Dunblanensem commorantes, pro sua intentione probanda, fore et esse necessarios: Quocirca vobis supplicamus quatenus testes infra dictas dioceses Sanctiandree et Dunblanensem commorantes, per dictum dominum comitem, aut eius procuratorem legittimum, nominandos, citare, vocare, iurare facere, et examinare, ac super libello et interrogatoriis vobis clausis transmissis diligenter interrogare velitis, parte rea comparente, vel se contumaciter absentante, attento quod alias ad dictum effectum citata sit, ipsosque testes si se gracia, odio, fauore, vel timore, subtraxerint, ad perhibendum fidele testimonium veritati censura ecclesiastica compellere; ceteraque omnia et singula que ad huiusmodi testium receptionem et examinationem necessaria fuerint seu opportuna, facere, gerere et exercere, et huiusmodi testium depositiones in scriptis fideliter redactas, vnacum libello et aliis scriptis vobis transmissis, nobis, quam tocius poteritis, sub sigillo vestro clausas, et nemini partium manifestas remittere curetis: Datum sub sigillo nostro, et subscriptione nostri scribe in premissis, apud ciuitatem Glasguensem, die vigesimo mensis Maii, anno Domini I^M^ V^c^. sexagesimo secundo.

Sequitur subscriptio notarii dicti domini iudicis: Thomas Knox notarius, manu propria.

Sequuntur depositiones testium quorundem examinatorum per me, Magistrum Joannem Sinclare, Ecclesie collegiate de Innerpeffray prepositum, ac commissarium deputatum venerabilis viri, Magistri Joannis Houstone, *etc.*, virtute et vigore commissionis prefati domini iudicis subdelegati, mihi directe . . .

Domina Margareta Steward, domina Gordone, vidua, etatis lxv annorum, testis in causa, citata, iurata, et diligenter examinata, mediante suo iuramento, deponit; Quod prefatus Hugo comes de Eglintoune et domina Joanna Hammiltoune, eius sponsa putatiua, attingunt in quarto et quarto consanguinitatis gradibus, in libello contentis, computando gradus prout sequitur, videlicet, quedam comitissa de Mortoune, nuncupata muta domina, peperit duas proles, videlicet, filium et filiam, suo sponso comiti de Mortoune, et ex vno latere, primus filius ipsius comitisse et comitis de Mortoune successit comes de Mortoune, qui est primus gradus; qui comes de Mortone genuit etiam filium comitem de Mortone, qui est secundus gradus; qui comes de Mortone genuit filiam, nomine Margaretam Dowglas, sponsam nobilis et potentis domini, Jacobi domini Hammiltoune

ac Ducis de Chattellarault, qui est tertius gradus; que Margareta, sponsa domini de Hammiltoune, peperit dominam Joannam Hammiltoune, sponsam putatiuam ipsius domini Hugonis comitis de Eglintone, qui est quartus gradus. Ex alio latere, filia illius mute domine comitisse de Mortoune erat comitissa de Bothwell, qui est primus gradus; que comitissa de Bothwell peperit quandam Jonetam dominam de Seytone, qui est secundus gradus; que domina de Seytone peperit dominam Mariotam Seytone, comitissam de Eglintone, matrem dicti Hugonis, comitis de Eglintone, qui est tercius gradus: Et ipse Hugo Comes de Eglintone est quartus gradus: Et sic attingunt in quarto et quarto consanguinitatis gradibus; et deponens nouit tres personas ex vtroque latere; sed de eorum nominibus in speciali non recordatur: Examinata de ceteris contentis in libello deponens refert ea que sunt iuris iuri, et plus nescit de contentis in libello.

Magister Jacobus Gordoune, frater germanus nobilis et potentis domini, Georgii comitis de Huntlie, etatis xlvi annorum, aut circiter, testis in causa, citatus, iuratus, et examinatus super contentis in libello, conformis est in sua depositione testi precedenti.

Sibilla Drummond, Domina de Kynclevin, sponsa Jacobi Heryng de Wester Gormok, etatis xlv annorum, aut circiter, testis in causa citata, vocata, iurata, et diligenter examinata, conformis est primo testi.

Joanna Drummond, sponsa Jacobi Chesholme de Cromkis, etatis xxxiii annorum, testis in causa iurata, citata, vocata, et diligenter examinata, conformis est testi precedenti ex relatione.

Quosquidem testes supradictos, nos Joannes Sinclare, prepositus antedictus, vigore supplicationis et commissionis nobis directarum, diligenter examinauimus, et eorum depositiones mittimus vobis introclusas, et subscriptas manu nostra, ac subscriptione Willelmi Scott notarii publici, in premissis nostri scribe et tabellionis; apud ecclesiam collegiatam de Innerpeffray, die xxii mensis Maii, anno Domini I^{M} V^{c} sexagesimo secundo. Sequuntur tenores subscriptionum; Joannes Sinclare, commissarius. Ita est, Willelmus Scot, notarius, ac scriba in premissis, rogatus et requisitus manu propria subscripsit.

Sequuntur depositiones testium in ciuitate Glasguensi examinatorum per dictum dominum iudicem et commissarium, in presenti causa.

Robertus Crawfurd de Clolynane, coniugatus, etatis lx annorum et vltra, testis in causa citatus, iuratus et examinatus, et de contentis in libello interrogatus, et de consanguinitate, mediante suo iuramento, dicit huiusmodi consanguinitatem veram, computando gradus prout sequitur: Quondam Jacobus Dowglas filius mute domine de Dalkeith, Comes de Mortone, genuit quondam Jacobum Dowglas, comitem de Mortone et dominum de Dalkeith; qui quondam Jacobus genuit dominam Margaretam Dowglas, sponsam Jacobi domini de Hammiltoune, ac matrem dicte Joanne Hammiltone; que Margareta Dowglas, sponsa dicti domini de Hammiltoune, peperit ipsam dominam Joannam Hammiltoune, sponsam putatiuam ipsius Hugonis comitis de Eglintone, ex vno latere; et quedem Joanna Dowglas, filia dicte mute domine de Dalkeith, et soror germana Jacobi Dowglas comitis de Mortone fuit comitissa de Bothwell, que peperit filiam Margaretam Hepbourne; que Margareta Hepbourne fuit domina de Seytone, ac peperit dominam Mariotam

Seytone, comitissam de Eglintone; que domina Mariota Seytone peperit ipsum Hugonem comitem de Eglintone; et deponens nouit tres personas ex vtroque latere.

Joannes Steward de Bowhous, coniugatus, etatis lxi annorum aut circiter, testis in causa citatus, vocatus, iuratus, et diligenter examinatus, conformis est testi immediate precedenti.

Die xxviii mensis Maii, anno I^M V^c lxii.

Quo die, sedente pro tribunali venerabili viro, Magistro Joanne Houstone, canonico, *etc.*, in insula diui Michaelis archangeli . . . procurator dicte Joanne comparens, nullas produxit oppositiones seu impugnationes: Quare dictus iudex super eisdem silentium imposuit, et ad concludendum in causa, assignauit diem ad nouam citationem, procuratoribus partium citatis.

Sequitur tenor citationis ad videndum concludi in causa.

Joannes Houstoune, ecclesie metropolitane Glasguensis canonicus, ac iudex subdelegatus, *etc.* . . . discreto viro, domino Joanni Masone, capellano, seu cuicunque alteri capellano infra diocesim Glasguensem diuina celebranti, salutem: Citetis legitime nobilem domicellam, dominam Joannam Hammiltone, sponsam putatiuam nobilis et potentis domini, Hugonis comitis de Eglintone, etc. quod compareat coram nobis seu nostris collegis, pluribus aut vno, in ecclesia metropolitana Glasguensi, et in insula diui Michaelis archangeli infra eandem, die xxix Maii proximi, ad videndum et audiendum concludi in causa predicta, cum intimatione publica ut moris est: Et presentes debite executas earundem latori reddatis: Datum sub sigillo nostro et subscriptione nostri scribe, apud ciuitatem Glasguensem, die xxviii mensis Maii, anno Domini I^M V^c sexagesimo secundo.

Sequitur indorsatio: xxviii Maii anno, etc. lxii. Ego magister Hugo Montgomerie, accessi ad castrum de Hammiltoune et ibidem citaui dictam Joannam Hammiltoune ad comparendum, die et loco subscriptis, secundum tenorem presentis citationis, coram domino Willelmo Nasmyth, Joanne Robesone, et Petro Were. Ita est Magister Hugo Montgomerie, manu propria.

Die Veneris, xxix Maii, anno I^M V^c lxii.

Quo die, sedente pro tribunali venerabilo viro, magistro Joanne Houstoune, etc., dicte domine Joanne ad videndum et audiendum concludi in causa mota inter nobilem dominum, Hugonem comitem de Eglintone, ab vna, et dictam dominam Joannam Hammiltone, ab altera partibus, ut in acto xxvii Maii instantis; prefatus commissarius conclusit in causa; et pro sententia ferenda assignauit diem ad nouam citationem super dicta domina Joanna, dicto domino comite apud acta citato.

Die Sabbati, penultimo Maii, anno Domini I^M V^c lx secundo.

Quo die sedente pro tribunali venerabili viro, *etc.* in termino assignato domine Joanne Hammiltoune ad videndam et audiendam sententiam ferri, vt in acto xxix Maii instantis, anno suprascripto, in causa *etc.* comparuit comes antedictus et petiit cum instantia huiusmodi sententiam ferri et pronunciari, quam iudex prescriptus protulit in hunc modum sequentem: Christi nomine inuocato; Nos Joannes Houstone, *etc.*, penes contenta in libello ipsius domini Comitis de Eglintoune, in quo asserit, quod licet ipse Hugo Comes de Eglintoune matrimonium de facto, non tamen de iure, cum ipsa domina Joanna contraxit, et illud in facie

ecclesie more suo, licet nulliter, solemnizauit, matrimonialiter invicem remanere non possunt neque de iure debent: Ex et pro eo, quia ipse nobilis dominus Hugo Comes antedictus, et domina Joanna Hammiltoune prescripta, sua sponsa putatiua, attingunt in quarto et quarto consanguinitatis gradibus; quodquidem consanguinitatis impedimentum impedit matrimonium contrahendum, et dirimit matrimonium iam contractum, et de se reddit nullum et inualidum, vt in dicto libello ad plenum continetur: Viso huiusmodi libello, visis etiam testium depositionibus super dicto libello productis, ceterisque cause meritis, recepto etiam prius iuramento ipsius domini Hugonis, solito et de iure requisito; pro tribunali sedentes et solum Deum pre oculis habentes, eiusque nomine sanctissimo inuocato, per hanc nostram sententiam diffinitiuam, quam ferimus in his scriptis, pronunciamus, decernimus, et declaramus sententialiter, huiusmodi pretensum matrimonium, sic vt premissum est, de facto et non de iure contractum, esse et fuisse de se et ab initio nullum, irritum et inane, obstante impedimento consanguinitatis predicto, ipsosque pretensos coniuges fore diuortiandos, et diuortium inter eosdem celebrandum, prout diuortiamus, et diuortium inter eosdem celebramus, et vtrique eorum, si alliud impedimentum canonicum non obsteterit aliis nubendi in domino nostram licentiam et tollerantiam tribuendum: Et quicquid alter alteri dederit causa dotis vel donationis propter nuptias, decernimus restituendum: Et hoc omnibus et singulis quorum interest notum facimus per presentes: Lecta, lata, et in scriptis promulgata fuit hec nostra sententia diffinitiua, in presentia ipsius domini comitis antedicti eandem cum instantia ferri petentis: Et in penam contumacie ipsius domine Joanne legitime citate vocate et non comparentis; ad laudem Dei, die penultimo mensis Maii anno Domini millesimo quingentesimo sexagesimo secundo: Et in verificatione premissorum presentibus, manu nostra subscriptis, ac manu nostri scribe et tabellionis in presenti causa, sigillum nostrum est affixum Super quibus omnibus et singulis prefatus dominus Hugo Comes, a me notario publico subscripto, sibi fieri petiit et requisiuit vnum vel plura, publicum seu publica instrumentum seu instrumenta: Acta erant hec infra ecclesiam metropolitanam Glasguensem, hora undecima ante meridiem, die et anno prescriptis; coram his testibus, Willelmo magistro de Eglintoune, Joanne Steward de Bowhous, Joanne Montgomery de Brigend, Gauino Bailze et magistro Roberto Conynghame, cum diuersis aliis. Sequuntur subscriptiones dicti domini iudicis et commissarii, ac notarii publici, sui scribe in premisis, de quibus supra fit mentio: Joannes Houstoune, iudex in premissis, manu propria. Ita est, Thomas Knox, notarius publicus, etc.

Sequitur tenor citationis ad videndum sententiam ferri, de qua supra fit mentio.

Joannes Houstoune, ecclesie metropolitane Glasguensis canonicus, ac cause et partibus infrascriptis, sedis apostolice subdelegatus iudex et commissarius, curato de Hammiltoune, seu cuicunque alteri capellano infra diocesim Glasguensem, salutem: Citetis legitime nobilem domicellam, dominam Joannam Hammiltoune, sponsam putatiuam nobilis et potentis domini, Hugonis Comitis de Eglintoune, etc., quod comparcat coram nobis seu nostris collegis, pluribus aut vno, in ecclesia metropolitana Glasguensi, et in sacello siue insula diui Michaelis archangeli infra eandem, die xxix^{o} mensis instantis Maii, hora causarum ante meridiem consueta, ad videndum

et audiendum sententiam ferri et pronunciari in causa mota inter dictum nobilem dominum, Hugonem comitem de Eglintoune, ab vna, et dictam nobilem domicellam, dominam Joannam Hammiltoune, eius sponsam putatiuam, ab altera partibus, cum intimatione publica ut moris est: Et presentes debite executas earundem latori reddatis: Datum sub sigillo nostro ac subscriptione nostri scribe, apud ciuitatem Glasguensem, die xxix° mensis Maii, anno Domini I.M V.c sexagesimo secundo: Sequitur subscriptio notarii et scribe in premissis: Thomas Knox, notarius publicus, etc.

Sequitur indorsatio dicte citationis.

Die xxix° mensis Maii, anno quo supra: Ego, dominus Joannes Masoune, cappellanus, accessi ad castrum de Hammiltoune, locum habitationis et solite residentie nobilis domicelle, domine Joanne Hammiltoune, et ibidem dictam Joannam Hammiltoune personaliter apprehensam, et in dicto castro existentem citaui ad effectum prescriptum; necnon copiam citationis affixi super fores dicti castri; testante mea subscriptione manuali, et his testibus, videlicet domino Willelmo Nasmith, Willelmo Cochrane, et Joanne Robesoune. Subscriptio dicti domini Joannis. Ita est dominus Joannes Masone, manu propria.

Quemquidem processum, ego, dominus Thomas Knox, capellanus ac notarius publicus, scribaque in presenti causa, vnacum actis actatis, ceterisque omnibus et singulis productis in presenti causa, nil addito vel diminuto, quod substantiam facti immutare valeat, de originali fideliter extraxi, et in scriptis redegi, de speciali mandato dicti nobilis et potentis domini, Hugonis comitis de Eglintoune, domini Montgomerie; teste mea subscriptione manuali, ac appensione sigilli dicti domini iudicis et commissarii, hic affixi, in testimonium et fidem premissorum.

Ita est Thomas Knox, notarius publicus, ac scriba dicti domini iudicis et commissarii in presenti causa, manu propria.

THOMAS KNOX, notarius publicus.

CONTRACT between James Duke of Chettellarault and Hugh third Earl of Eglintoun, 23rd February 1561.

161. AT Edinburgh, the xxiii day of Februar, the zeir of God I.M V.c lxi zeris: It is appointit, aggreit and finalie concordit betuix ane noble and mychtie Lord, James Duke of Chettellarault, Erle of Arrane, Lord Hammiltoun, etc., in name and behalf, and takand the burding vpoun him for Jane Hammiltoun, Countess of Eglintoun, his dochter, on that ane part, and ane noble and mychtie Lord, Hew Erle of Eglintoun, on that vther part, in maner following, that is to say: Forsamekle as the said Jane hes intentit ane actioun of diuorce aganis the said Hew, and sindry previs examinat thairintill, quhairthrow, gif the samyn be ellis provin, or zit salhappin heireftir to be provin, as is suspectit vehementlie to be, and thai diuorcit thairthrow; the geir, sowmes of money, dispositioun of warde landis, the avale of the said Hewis mariage, and vther gratitudis and gude deidis quhatsumeuir done in respect of the mariage betuix thame, will appertene and returne agane to the said Jane, conforme to the law and prouisioun in the contract of mariage betuix thame maid

thairvpoun; quhairthrow the said Erlis hous is abill to be gretumlie hurt, except thair be sum compositioun maid thairvpoun: Quhairfoir the said James Duck of Chattellarault, vpoun the ernist desyre of the said Hew Erle of Eglintoun, and that amitie and kyndnes may stand betuix thame and thair housis, as it hes done befoir the said mariage in tyme bipast, nochtwilling the hurt of the said Erlis hous, bot rather ane competent lyfe and compositioun vnto his said dochter far within the avale of the sowmes of money, the dispositioun of the ward landis, hir awin mariage, and vtheris gude deidis and gratitudis done be him and his said dochter to the said Erle in respect of the said mariage, is content that the samyn be mitigat and componit in maner following; viz., the said Hew Erle of Eglintoun bindis and oblisis him to enter him and infeft the said Jane, hir airis and assignais, heretablie, in sex hundreth merkis be zeir, in maner following, within fourtie dayis eftir the sentence geving and pronunciation of the diuorce betuix thame; that is to say, the said Erle sall enter him self, and thaireftir infeft heretablie, titulo venditionis, in compositioun of the premissis, the said Jane, hir airis and assignais, in all and hale the landis of Eistwod, Langsyde, Tancartland, Newlandis and Meryleis, to be halden of our souerane lady and hir successouris, siclyke as he suld hald the samyn, within the space foirsaid, lyand within the barony of Renfrew . . . quhilkis landis payis vittale and part of money zeirlie, quhairof ilk boll of meill salbe reknit to threttene schillingis foure penneis, and ilk boll of beir to tuentie schillingis, and baith to be allowit in the said sowme of sex hundreth markis foirsaidis of the prices abonewrittin, safer as the said Hew eftir he be enterit thairto may haue title and rycht to of the samyn. . . . And becaus the saidis hale vittallis and money of the prices foirsaidis will nocht extend to the said sowme of sex hundreth merkis, togidder with the penny male of the landis abone specifeit; the said Hew sall infeft the said Jane, hir airis and assignais, heretablie, in ane annuelrent of samekle as sal happin to inlaik of the said sowme of sex hundreth markis that the saidis landis of Eistwod, Langsyde, Tancartland, Newlandis and Meryleis will nocht extend to, to be takin vp zeirlie in ony part the said Jane plesis within the hale barony of Eglishame. . . . Prouiding alwayis that the said Jane salhaue na power to cutt the woddis nor parkis of Eistwod, nor na part thairof, bot safer as sal be sufficient for the reparatioun of the said place of Eistwod, or vther housis biggit, or quhilk scho sal happin to big, necessar for hir awin habitatioun and seruandis, keping of hir cornis, berne and byre, and necessar for hir awin operatioun; and quhat tyme or howsone it salhappin hir to marye, scho immediatlie thaireftir sall leif the said toure and maner place of Eistwod, with orchardis and zardis of the samyn, without ony proces of law, to the said Hew, to be vsit be him at his plesoure, nochtwithstanding the infeftment to be maid to hir thairof: Prouiding alsua, that the said Hew nor his seruandis sall nocht oppress the tennentis of the saidis landis, nowther in the citing of thair cornis, nor gerss, nor vtherwyis, quhen he or thay salhappin to remane in the said place, or ony vther tyme, vnto the lauchfull redemptioun of the samyn: And attoure, the said Jane, at the making of the saidis infeftmentis, sall deliuer to the said Hew ane sufficient letter of reuersioun, in dew and competent forme, to him, his airis and assignais, for redemptioun and outquitting of all and sindrie the saidis landis and annuelrent abone specifeit,

contenying the soume of sex thousand markis, to be payit to the said Jane, hir airis and assignais, in the Kirk of Glasgw, vpoun the premonitioun of fourtie dayis, with vther generale clausis as vse is in ane reuersioun, with ane prouisioun contenit in the lattir end of the samyn, that it sall nocht be lesum to the said Hew his airis or assignais, to lows the saidis landis and annuelrent induring the said Janis lyftyme without hir awin consent: For the quhilk causis and infeftmentis abone specifeit being dewlie maid to the said Jane, hir airis and assignais, vnder reuersioune as said is, the said Lord Duke bindis and oblisis him, his airis and assignais, to caus the said Jane renunce and ourgif to the said Hew Erle of Eglintoun, his airis and assignais, all rycht, title of rycht, or possessioun, quhilk scho had, hes, or onywyis may clame, in and to the landis of Airdrossane, in the quhilkis scho is infeft, the ward and nonentres quhilk scho had of the samyn befoir hir infeftment, with all rycht and title of rycht quhilk scho hes to ony of the landis pertenyng to the lordship of Montgummery; and siclyke renunce and ourgif frelie to the said Lord, his mariage, quhairof scho had the gift, togidder with all sowmes of money, gudis, or vther geir, gevin be hir, or hir said father, to the said Erle in name of tochir, or for the caus of matrymony, except hir expensis sen the said Jane hes bene fra the said Hew in mutuall cohabitatioun; and the said Duke sall warrand the said Jane hes maid na dispositioun of the mariage of the landis scho is infeft in to of Ardrossane, the warde and nonentres of the samyn, the said Erlis mariage, to ony persone or personis; and als sall warrand him the samyn at the handis of Barbara Hammyltoun, Lady Flemyng, Anna Hammyltoun, Lady Gordoun, for ony disposition maid be hir thairof to thame, in the surest sort the said Erle can devys: Providing alwayis, gif the said Erle failzeis to keip thir premissis within xl dayis eftir the diuorce being pronuncit, as said is, he being requirit thairto, it salbe in the said Lord Dukis will quhidder he plesis to caus his said dochter tak the infeftmentis foirsaidis, or haue that thing scho may haue be the law be verteu of the contract of mariage, or vtherwyis: And heirto bayth the saidis parteis bindis and oblisis thame faithfullie to vtheris be thir presentis, and ar content that this present contract be actit and registrat in the bukis of Counsale, vpoun aucht dayis warnyng, and to haue the strenth of ane act and decreit of the Lordis thairof, with letteris and executoriallis of hornyng or poinding to be gevin thairupoun in forme as efferis: In witnes of the quhilk thing bayth the saidis partiis contractoris hes subscriuit thir presentis with thair handis, day, zeir, and place foirsaidis, befoir thir witness, Gawane Commendatour of Kiluynnynge, Williame Muir of Glandirstoune, Johne Mwngwmry of Brigende, James Hammyltoune of Ormystoune, and Williame Hegait, noter, with wthiris diuers.

JAMES.

DECREE of DIVORCE by the Minister and Elders of the Kirk of Edinburgh, of Hugh Earl of Eglingtoun from Jane Hammiltoun, his wife, 25th June 1562.

62. AT Edinburght, the tuentie fyve day of Junii, the zeir of God I^{M} V^{c} thre scoir and twa zeiris: The quhilk day, anent the actione and caus perseuit be Jane Hammiltoun, dochter to ane nobill and mychtie Lord and Prence, James Duke of Chattellarault, Erle of Arrane, Lord Hamiltoun,

etc., makand mentione, that quhair in the zeir of God I^M V^c. fyftie four zeiris, the said Jayne wes joynit and cuppillit in lauchfull matrimonye with Hew Erle of Eglingtoun, traisting to haif leuit with him in that holie band senceirlie and purelie according to Goddis institutione, and that the said Jayne for hir pairt had sa behad hir self towart the said Erle, baith in boddie and in mynd, that the warld on that ane pairt can beir recoird that scho hes nocht offendit outwartlie to him; ewin likwayis hir conscience on that vther pairt accusis hir nocht of ony offence committit be hir to the said Erle sen thair first joyning in the said band: Nochttheless the said Erle, on that vther pairt, be the space of halff ane zeir immediatlie preceiding the xiii day of December, the zeir of God I^M V^c lx . . . and thairthrow hes ceissit this lang tyme to be heid of the said Jayne, bot hes diuorceit him selff fra hir . . . in manifest contempt of God and his woird, that he is becummin the member or seruand to ane harlat, and sa diuorceit him selff fra the said Jayne that scho ceissis and hes ceissit this lang tyme bipast, baytht of the law of God and man, to be ony mair flesche of his flesche, or member of his bodie, and being in this maner repudiat be him, and diuorceit in presens of God; zit becaus the said Jane wantit declaratour of the kirk, scho menit hir to the Loirdis of Secreit Counsale to the effect scho mycht be declairit frei; and the saidis Loirdis considdering hir caice, gaif commissioun and command to the minister of Glasgow, senioris, and kirk thereof, to cognosce and decyd in the said caus, and to decerne and declair quhither the said Jayne wes frie or nocht; quha causit summond the saidis pairteis, and at the day of compeirance did na thing thairin, bot maid ane pretendit continewatione without compeirance of the pairtie aduersar, and the said minister of Glasgow depairtit in Ingland, and the elderis thairof gaif plane ansuer of refuis, that without his presence thai wauld do na thing; and in this tyme the said Jane wes haldin bound and hie frie, according to his pleisour (althocht syin be na libertie), to do quhat him lykit, and pas quhair he pleissit, and than intendit, lik as he did pas in France, to tak lairger reinzeis to sin, and to hauld hir in greit boundage: Quhairfoir, sen the said Jane hes suttit the declaratour of the said actione within the diocie quhair bayth the saidis pairteis duellis, and could nocht haif it onlie throw the absence of the said minister, and vtheris occasionis notour to the saidis Loirdis, directit thair commissioun to the minister and elderis of the kirk of Edinburght, quhair plentie of cunning men mycht be had, with vtheris sax personis nominat in the said commissioun, or ony tua of thame, to be present with the saidis ministeris, elderis, and deaconeis, at all the substantiall deuteis of the said actione; committing thame power to call baytht the saidis pairteis befoir thame, and tak cognitione in the said mater, and to pronunce thair sentence thairintill, according to the ewangell and law of God; as at mair lenth is contenit in the said commissioun, and Jaynis libellit precept gevin in befoir the saidis jugis thairvpoun: The said Jayne Hammiltoun compeirand personalie in jugment be Maister Dauid Boirthuik, hir procuratour, on that ane pairt, and the said Erle being lauchfullie vairnit be our souerane ladeis letteris to haif hard sentence pronuncit in the said caus, on that vther pairt, oftymeis callit, lauchfull tyme of the day biddin, and nocht compeirit; the rychtis, ressonis and

allegationis of baytht the saidis pairteis hard, sene, considderit and vnderstand, togidder with the depositionis of diuers famous witnessis, chosin, suorne and admittit thairto, the said Minister and Elderis of the kirk of Edinburght, that is to say, Johne Knox, minister, Mr. Johne Spottiswod, superintendent of Louthiane, Maister Johne Spens, aduocat to oure souerane ladie, Alexander Guthrie, Mr. Richert Strang, Maister Johne Marioribankis, Maister Clement Littill, Maister Robert Glen, Alexander Park, Andro Sclaitter, Andro Armiestrang, Williame Harlaw, Alexander Hoip, James Aikman, Robert Johnestoun, Johne Freir, Johne Weir, Alexander Lyell and Johne Cairnis, Elderis and Deaconeis of the said kirk; Maister James Makgill of Rankelour Nather, clerk of regester, and Dauid Forres, gennerall of the cunzehous, tua of the leirnit and nobill men appoyntit be the saidis loirdis of secreit counsall to be adioynit to the said minister and elderis at the principall dyettis of the said actione, being at lenth ryplie awysit with the haill proces led and deducit in the said caus, togidder with the depositionis of the haill witnessis ressauit, suorne, and admittit in the samyn; findis be cognitione taiking, that the tyme abone writtin the said Jayne, as is notour, wes joynit in lauchfull matrimony with the said Hew Erle of Eglingtoun, traisting to hau leifit with him in that holie band according to Goddis institutione, and sen syn the said Jayne hes so behad hir selff towart the said Erle in hir bodie, that he, nether zit the warld, is abill to imput to hir ony offence or cryme; Nochttheless the said Erle, be the space abone writtin, hes . . . and thairthrow hes ceissit, baytht of the law of God and man, to be ony mair flesche of his flesche or member of his bodie: Heirfoir decernis and ordanis the said Jayne to haif bene sen the tyme foirsaid, and to be in all tymeis cuming, the frie persone, als fre of the libertie grantit to hir of the woird of God to marie of new in the Loird quham scho pleisis, as that scho had neuer contractit mariage with the said Erle of befoir; and separatis, diuoydis and diuorcis the said Jayne fra the said Erle, his bodie, cumpany, and bed, in all tymeis cuming, be ressone of the adultrie committit be him foirsaid, notoriuslie and planelie prowin be the saidis witnessis, and pronuncis the said Erle to hau bene sen the tyme foirsaid the filthie adulterar, lewing him alvayis for committing of the cryme foirsaid to the puneishment of the ciuil jugement, as is requirit of the law of God: Becaus the said Jayne cleirlie prewit the said adulterie, as wes notorius to the saidis jugis: Extractit furth of the buik and regester of the kirk of Edinburght be me, Michael Marioribankis, clerk thairof, keipar of the regester of the samyn, witnessing heirto this my handwrit and signe manuall.

MYCHAEL MARIORYBANKIS.

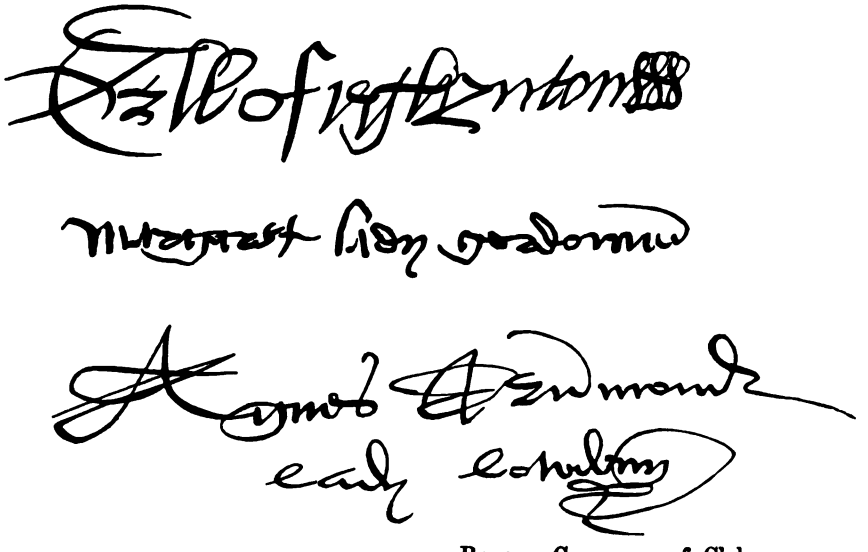
CONTRACT of MARRIAGE between Hugh third Earl of Eglintoun, and Dame Agnes Drummond, sister (uterine) of George fourth Earl of Huntlie, 8th June 1562.

163. AT Innerpreffre, the aucht day of Junii, the zere of God I^{M} V^{c} threscoir tua zeris: It is appunctuat, finally concordit and contrackit betuix ane nobill and mychty lord, George Erle of Huntlie, Dame Mergret Stewart, Lady Gordoun, and Dame Agnes Drummond, Lady Lowdoun, sister to the said Erle and dochtir to the said Dame Mergret, on that ane part, and ane nobil and

potent lord, Hew Erle of Eglintoun and Lord Muntgumry, vpoun that wther part, in maner folloving; that is to say, the said Hew Erle of Eglintoun sall, Godwilling, mary and tak to his wyfe solempnatlie, in face of halie kirk lauchfullie, the said Dame Agnes, betuix and the Natiuite of Sanct Johnne callit Mydsomer nixtocum: For the quhilk mariage to be compleitit as said is, the said George Erle of Huntlie, Dame Mergrat Stewart, Lady Gordoun, and the said Dame Agnes, bindis and oblisis thame, thair airis, executouris and assignais, coniunctlie and seueralie, to content, deliuer and pay to the said Hew Erle of Eglinton, his airis, executouris, or assignais, the sovme of sax thousand merkis vsuale money of this realme, in name of tochir. . . . And als the said Dame Agnes sall releif wyth her leving the said Hew Erle of Eglintoun of the sovme of sax hundreth merkis money to be payit to Dame Jehane Hammyltoun, dochtir to my Lord Duik, ay and quhill the payment of the sovme abone writing to be payit to the said Hew, Erle, in maner as said is: And howbeit thare be na impedimentis of consanguinite or affinitie knawin presentlie betuix the saidis parteis, bot that thai may compleit the said band of matrimony lauchfullie as said is; and giff thair salhappin heireftir ony impedimentis of consanguinite or affinite in tyme cummyng to be knavin betuix the said parteis, quhairby thai may nocht remane in lauchfull matrimony; than and in that cace the said Hew, Erle forsaid, bindis and oblisis him and his forsaidis, to bring hame fra the court of Rome sufficient dispensationis contenand confirmatioun, or to obtene the sammyn at ony handis haueand power thairof, to dispens with sic impedimentis that salhappin to be knavin or proponit, vpoun the said Hew Erlis expensis: And gif it salhappin the said Hew, Erle forsaid (as God forbeid), to move ony caus of diuorce aganis the said Dame Agnes in ony tyme to cum, than and in that cace the said Hew Erle bindis and oblisis him and his airis, to refund, content and pay to the said Dame Agnes, the sovme aboun writing, or at the leist samekle thairof as beis ressauit be him fra the said Dame Agnes; and by the said sovme, the said Dame Agnes sall bruik all landis in the quhilkis scho beis infeft in be the said Hew, Erle forsaid, induring hir lyftyme: And siclyk, gif it salhappin the said Dame Agnes to move ony caus of diuorce aganis the said Hew Erle in ony tyme to cum, than and in that cace the said Dame Agnes, now as than and than as now, renuncis and ourgevis all and sindry landis pertenyng to the said Hew Erle, in the quhilkis scho happinnis to be infeft in, with all rycht, titill of rycht and clame scho may haue to the samyn, and exoneris quytclamis and dischargis the said Hew, Erle forsaid, of all sowmes of money, guidis and geir, quhilkis scho may ask or craif fra the said Erle, gevin to him for the completing of the said mariage: And for sure payment of foure thousand merkis money of the said sax thousand merkis money, Robert Craufurd of Clolyane

ar becumin cautionaris and souerteis, coniunctly and seueraly, with the saidis George Erle of Huntle, Dame Mergret and Dame Agnes, to be payit at the termis forsaid. . . . And for fulfilling, keping and observing of all and sindry thir premisis, the saidis parteis and cautionar ar content that this present contract be insert and registrat in the buikis of our souerane Ladyis counsall, and the Lordis decreit and authorite thairintill to be interponit . . . In vitnes of the quhilk thing the saidis parteis and cautionar forsaid hes subscrivit this present

contract with thair handis, day, zere and place forsaid, befoir thir vitnes, honorable men, Maister James Gordoun, Chancellar of Murray, Mathow Campbell of Lowdoun, knycht, schiref of Air, James Cheisholme of Crumleikis, Williame Maister of Eglintoun, Johne Stewart of Bowhous, and Maister Robert Herbertsoun, vicair of Abruthtwen.



Robert Craufurd of Clolynane.

Instrument narrating the proclamation of the banns of marriage between Hugh third Earl of Eglintoune, and Dame Agnes Drummond, Lady Lowden, in the church of Eglishame, 31st May, 7th and 14th June 1562.

64. In Dei Nomine, Amen: Per hoc presens publicum Instrumentum cunctis pateat evidenter et sit notum, quod anno Incarnationis Dominice millesimo quingentesimo sexagesimo secundo, Dominica, viz., vltimo Maii, indictione sexta, pontificatus sanctissimi in Christo patris et domini nostri, domini Pii diuina providentia pape quarti, anno quarto: In mei notarii publici et testium subscriptorum presentia: The quhilk daye, I Maister Patrick Vidderow, Vicar pensionar of Eglishame, in presens of the haile parochineris beand convenit in tyme of devyne seruice, oppinlie proclamit ane nobill and potent lord, Heu Erle of Eglintoune, Lord Montgumerie, etc., on that ane part, and Deyme Agnes Drummond, Ladye Lowden, on that wthir part, and declarit onto the saidis parochineris and to all wtheris, that the foirsaidis Erle and Ladye was to accompleish and solempnisat the bandis of matrimonie, and demandit of the saidis parochineris and of all wtheris, gaif thai knew or knawis ony lauchfull impediment quhy the foirsaidis Erle and Ladye mycht nocht be lauchfullie adiunit in the foirsaid bandis of matrimonie, as thai wald ansuer to God on the lettir daye, and that anis, twyiss, thryiss; and I hard na parte oppone nor allege ony impediment to

aither of the forsaidis Erle or Ladye: Secundlie, on Soundaye, viz., vii daye of Junii, zeir of God abone vrittyne, I the said Vicar, in lyik maner oppinlie proclamit, in tyme of devyne seruice, the foirsaidis Erle and Ladye, and declarit to the saidis parocheneris and to all wtheris, that the foirsaidis Erle and Ladye was to solempnisat the bandis of matrimonie, and demandit thame, zit as of befoir, gif thai knew ony lauchfull impediment betwix the foirsaidis Erle and Ladye; and I hard na maner of persoune nor persounes propone nor allege na causs in the contrar of the foirsaidis Erle and Ladye: Threidlie, on Soundaye, viz., the xiiii daye of Junii, zeir of God abone vrittyne, I the said Vicar pensionar oppinlie, in tyme of devyne seruice, proclamit this threid band of matrimonie betwix the foirsaidis Heu Erle of Eglinton, on that ane part, and Deyme Agnes Drummond, Lady Lowdone, on that wthir part, in maner foirsaid, and requirit and commandit thame, in the name of God, as thai wald ansuer to him on the lattar daye of jugisment, geif ony of thame knew ony lauchfull impediment, anis, twyiss, thryiss: And nocht onlye the saidis parochinaris, bot also of all wtheris, I requirit thame to schaw geif thai knew ony impediment owder to the forsaidis Erle or Ladye, owder to schaw the samyne at this present, or ellis neuer; and I hard na maner of persoune nor persounes propone nor allege, nor mac obstakile nor impediment to the foirsaidis Erle and Ladye, bot that thai mycht lauchfullie adiune thame selfis in the foirsaid bandis of matrimonie: Super quibus tribus bannis legitime proclamatis, et hoc etiam ferialibus interpositis, per tres dies solempnes debita intercapedine infra dictam ecclesiam parochialem de Eglishame, de matrimonio solempnisando ut supra inter prefatum nobilem et potentem dominum, Hugonem Comitem de Eglintoune, ab vna, et Agnetam Drummond, Dominam de Lowdone, ab altera, et hoc publice proclamasse, et cui nullum audiuimus oppositum nec quid scimus impedimenti, inter prefatum dictum Comitem et dictam Agnetam Drummond, Dominam de Lowdone, discretus vir Dominus Jasperus Montgumrie, capellanus, nomine ipsius dicti Comitis a me notario publico infrascripto sibi fieri petiit vnum seu plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec in dicta parochiali ecclesia, horam circiter vndecimam ante meridiem, sub anno, mensibus, diebus, indictione pontificatuque quibus supra: Presentibus ibidem Wilelmo Zoung in Nedderenocht, Matheo Dauidsone in Hill, et domino Johanne Masone, capellano, et nunc seruo ipsius Comitis, testibus in premissis vocatis pariter et rogatis.

Et ego vero Patricius Vidderou, artium magister, presbyter Glasguensis diocesis, sacra authoritate apostolica notarius publicus, quia premissis, etc.

Patricius Vidderou, Notarius Publicus, manu sua.

Instrument narrating the proclamation of the banns of marriage between the same parties in the churches of Innerpeffre and Monze on 11th June 1562.

165. In Dei Nomine Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnationis Dominice millesimo quingentesimo sexagesimo secundo, die vero mensis Junii vndecimo, videlicet in die Sancti Barnabe apostoli, personaliter constitutus discretus

vir dominus Andreas Straithenrie, vicarius ecclesie parochialis de Innerpeffre et Monze, Dunblanensis diocesis, in ecclesia collegiata de Innerpeffre, tempore quo solent diuina celebrari, alta et intelligibili voce proclamauit banna, inter nobilem et potentem dominum, Hugonem comitem de Eglintoun ac dominum Montgomerie, et dominam Agnetem Drummond, dominam de Lovdoune; monendo omnes et singulos ibidem presentes scientes aliquod impedimentum inter prefatas personas ne matrimonium licite poterat solemnizari inter eosdem in facie ecclesie, quod huiusmodi impedimentum reuelent sub pena condemnationis animarum suarum. Et quia nemo ibidem presens aliquod impedimentum reuelauit, nec quicunque opposuit, prefatus dominus Andreas a me notario publico subscripto petiit instrumentum et instrumenta. Acta erant hec in dicta ecclesia collegiata de Innerpeffre, horas inter nonam et decimam ante meridiem: Presentibus ibidem domino Joanne Brusoun, Joanne Fergussoune, et Willelmo Davidsoune, testibus ad premissa vocatis. Successiue vero eisdem die, mense et anno quibus supra personaliter constitutus idem dominus Andreas, vicarius antedictus, in ecclesia parochiali de Monze, Dunblanensis diocesis, et ibidem etiam alta et intelligibili voce proclamauit banna inter prefatas personas, monendo similiter omnes et singulos ibidem presentes et scientes aliquod impedimentum inter eosdem quare matrimonium licite minime poterat solemnizari in facie ecclesie inter eosdem Hugonem comitem de Eglintoune et dominam Agnetem Drummond, quod huiusmodi impedimentum reuelent sub pena condemnationis animarum suarum, ut moris est. Et quia nemo ibidem presens aliquod impedimentum reuelauit nec quicquid opposuit, prefatus dominus Andreas a me notario publico subscripto petiit instrumentum et instrumenta. Acta erant hec in ecclesia parochiali de Monze, horas inter decimam et undecimam ante meridiem; presentibus ibidem Willelmo Davidsoune. et Andrea Scot alias Tossocht, testibus ad premissa rogatis et requisitis.

Ita est Robertus Herbertsoun notarius publicus in premissis requisitus, manu sua.[1]

LETTERS by John [Hamilton] Archbishop of St. Andrews, dispensing with the impediments to the marriage of Hugh third Earl of Eglintoun, and Agnes Drummond, Lady of Loudoun, 19th August 1562.

66. JOANNES miseratione diuina Archiepiscopus Sanctiandree, regni Scotie Primas, Legatus natus ac cum potestate Legati a latere sedis apostolice legatus, venerabilibus viris nostrisque dilectis, Jacobo Gordoune, Cancellario Morauiensis, et Joanni Houstoun et Archibaldo Craufurd, Glasguensis ecclesiarum Canonicis, et vestrum cuilibet, Salutem in Domino sempiternam: Sedis apostolice prouidentia circumspecta nonnunquam rigorem juris mansuetudine temperat, et quod sacrorum canonum prohibent instituta, de gratia benignitatis indulget, prout personarum et temporum qualitate pensata id in Domino salubriter expedire agnoscit: Sane ex parte dilectorum nobis in Christo,

[1] There is an instrument of the proclamation of the same banns on 14th June 1562, in the church of Monze, 'pro secunda vice;' and another instrument of the proclamation on the 21st June at Innerpeffre, 'pro trina vice.'

Hugonis Comitis de Eglintoun, Domini Montgomerie, et Agnetis Drummond, Domine de Loudoune, mulieris, Glasguensis diocesis, nobis oblata peticio continebat, quod ipsi, scientes in secundo et tertio, ac tercio et quarto, et duplici quarto affinitatis gradibus se inuicem attingere, matrimonium inter se legittime per verba de presenti contraxerunt, illudque carnali copula consummarunt ac in facie ecclesie solemnizarunt, excommunicationis sententiam in tales a jure promulgatam propterea incurrendo, et incestus reatum committendo, et obstantibus huiusmodi impedimentis dicti coniuges in huiusmodi matrimonio remanere non possunt, absque sedis apostolice dispensatione desuper obtenta; et si diuortium fieret inter eos grauia exinde scandala possent verisimiliter exoriri; quare nobis supplicari humiliter fecerunt dicti exponentes, eiis super his de absolutionis debite beneficio et opportune dispensationis gratia misericorditer prouideri: Nos, igitur, ad infrascripta sufficienti facultate muniti, et qui salutem querimus singulorum ac scandalis ne eueniant quantum cum Deo possumus obuiare, ex premissis, et certis aliis nobis expositis causis, auctoritate apostolica nobis commissa et concessa, et qua fungimur in hac parte, discretioni vestre, et cuilibet vestrum, committimus quatenus, si est ita, ipsos coniuges exponentes a generali excommunicationis sententia, quam propter premissa incurrerunt, absoluatis in forma ecclesie consueta; iniuncta inde eiis et eorum cuilibet, pro modo culpe, penitentia salutari et aliisque de jure fuerint iniungenda: demum cum eisdem Hugone, Comite, et Agnete Drummond, Domina de Lovdoune, quod impedimentis predictis huiusmodi non obstantibus, in eorum sic scienter contracto et consummato matrimonio libere et licite remanere possint et valeant, misericorditer dispensetis, seu alter vestrum dispenset; dummodo dicta mulier propter hoc ab aliquo rapta non fuerit; proles exinde suscipiendas legittimas decernendo: Datum Pasleti, dicte Glasguensis diocesis, anno Incarnationis Dominice millesimo quingentesimo sexagesimo secundo, die decimonono mensis Augusti, Pontificatus sanctissimi in Christo patris et domini nostri, domini Pii, diuina prouidentia Pape quarti, anno tercio.

CONTRACT between Hugh third Earl of Eglintoun, and Robert Montgumry, brother of Thomas Muntgumry of Skelmurlie, 18th August 1562.

167. AT Glasgw, the xviii day of August, the zeir of God I^M V^c and sextie twa zeiris: It is appoyntit, aggreit and finallie endit betuex ane noble and potent lord, Hew Erle of Eglintoun, Lorde Montgumry, vpone that ane part, and Robert Montgumry, brodir to Thomas Muntgumry now of Skelmurlie, wpone the wthir part: Forsamekle as the saidis Thomas, at the plesour of God, is wexit with franessy, and is nocht perfyte in his wittis, nor compitent in him self, and swa can nocht rewile nor gowarne him self, his landis, rowmes, possessionis, gudis and geir; quhairfor the saidis

Robert is seruit and retowrit tutour administrator during the tyme of his seiknes, quho hes requirit and erneislie dissyrit the saidis noble and potent lorde to infeft or caws be infeft, be his precept, the saidis Robert in his landis of Skelmurlie, Loychransay, Synnok and Lochlibochsyd, with thair pertinentis, hes haldin of the saidis noble and potent lorde in cheif; quha being myndit neuer to defraude the saidis Thomas of his kyndlie inheritance, bot rather to mak him swir thairof, hes delyuerit to the saidis Robert his precept of fauouris, seillit and subscrivit in dew and competent forme, direct to his bailleis in that part, chargeing them to west and seis the saidis Thomas in the saidis landis: And becaws it is beleifit be the saidis Erle that the saidis landis hes bene in his handis as donatour to his awin warde, or at the leist haifand reycht thairto, diuers zeiris; quhairfor the saidis Robert, takand the burding vpone him for the saidis Thomas, his brothir, is bwndin and oblist be the tennour heirof, to the saidis Erle, that quhat tyme or howsone it sall pleis his Lordschip to appoynt ane day, vpone sex dayis warnying, quhatsumeuir place his Lordschip pleisis to assigne, to compeir, acumpaneit with his freyndis and reicht that the saidis Robert hes to the saidis ward, and thair gif it beis fwndin be thais his freindis and wtheris to be adiuneit to thame be the saidis Erle, that the saidis Robert hes reicht to the saidis warde, the saidis Erle sall move na pley thairfore in tyme cuming; and gif it beis fwndin that the saidis Erle hes rycht to the saidis warde, the saidis Thomas sall pay him thankfullie thairfor according to the law: And als the saidis Robert sall in tyme cuming during the tyme of his tutorie, reddely eintende, serue and obey the saidis Erle, with all and syndrye the kin, freindis, seruandis and tenentis of the hous of Skelmurlie, quhen he salbe requirit thairto, incontrar quhamesumeuir, our souerane Lady and the auctorite onelye beand exceptit; and sall nocht cum wnder leige nor band with nayne wthiris; and als sal caus the hous of Lochransay in Arrane be patent to the saidis Erle and his freindis in tyme cuming at his plesour; and sall caws the tennentis of the saidis landis, the saidis Erle beand thair, obey and serue him in all his effairis, hwnting and wthiris, and sall mak his furnessing of sik viueris as is in thay landis, of compitent pryce during the saidis Erles ressonable residence thairintill; for the quhilk the saidis Erle sall fortifye the saidis Robert in all his lesum and honest cawsis: And attour, the saidis Robert sall intreit the saidis Thomas and the remanent of his brethir and sisteiris honorabillie, conforme to thair estait: In witnes of the quhilk ather of the saidis parteis hes subscriueit thir presentis with thair handis, and are contentit this present contract be insart in the court bukis of Cwnyghame, and to haif the strentht and effect of ane act and decreit thairof, with executoriallis to follow thairupone in forme as efferis, day, zeir and place foresaidis, befoir thir witnes, Robert Crawfurde of Clolynane, Johne Stewarde of Bowhows, and Williame Hegait, with vtheris diuers: Eftir the mentioune making of the subscriptioun of the saidis Robert, he declarit he coulde nocht writ; tharfore the notar subscriueit for him.

Ita est vt premittitur, Villelmus Hegait, notarius, de mandato Roberti Mwngwmrie, ipsi nescientis scribere. EGLYNTON.

COPY PRINCIPALL BAND subscrivet be the Noblemen and Gentrie of Kyll, Caricke and Cuninghame, for mentinance of relligion, 1562.

168. WEE quhais names are underwreaten doe promise, in the presence of God, and in the presence of his Sone, our Lord Jesus Christ, that we and evrie one of us will mentain and assist the preatching of this holy evangell, now of his free mercie offred unto this realme; and also will maintaine the ministers of the samin against all persones, power and authoritie that will oppone thairselves unto the doctrine now proponet, and be us receavet: And farder, withe the said solemnitie, we protest and promise, that we, and evrie one of us, schall assist, hazard, yea, and the quhole bodie of the Protestants within this realme, in all laufull and just action against all persones; so that quhatsumever schall hurt, molest or trowble any of our bodies sall be reputed done to the quhole, except that the offender will be content to submitt himselfe to the judgment of the kirke now establisched among us: and this we doe as we desyre to be accepted in favour of the Lord Jesus, and reckonet worthie of credite and honestie in the presence of the godlie: at the bruche of Air, the fourt of September, the year of God ane thousand five hundreth thriscore and tua yeares. Sic subscribitur —

Eglingtowne.
Glencairne.
Robt. Lord Boyde.
Mathew Campbell of Lowdoun.
Allane Lord Cathcart.
Johne Cuninghame of Capringtowne.
Georg Craufurd of Leisnorisse.
Johne Muir of Rewallane.
Hew Cuninghame.
Robt. Cuninghame.
Wm. Cuninghame, wt. my hand.
The Mr. of Boyd.
Johne Carthcart of Barie.
Wm. Cuninghame, yownger of Capringtown.
Robt. Kerr of Kersland.
Robt. Craufurd.
David Craufurd.
Wm. Cuninghame.
Charles Campbell, burgess of Air.
James Reid.
Mungo Muir.
James Dalrimple of Stair.
James Cuninghame of Polquharne.
David Craufurd of Karse.
Wm. Campbell of Sesnoke.
Wm. Stewart of Hazlerige.
James Bar ie.
Cuninghameheid.
Wcheltrie.
Johne Schaw of Halies.
Johne Wallace of Cragie.
James Lockart.
Wm. Montgomrie.
Johne Craufurd of Walstowne.
George Corrie of Kelwode.
William Kennedy of Carnquhinnoche.
Johne Cathecart of Carltown.
Johne Kenniedy of Kirkmichell.
Thomas M^c^Alex^r^. of Corsclayes.
Johne Craufurd of Craufurdland.
William Barklay of Perstown, elder.
James Cunninghame of Borelandes.

Robert Cuninghame of Waterstain.
Johne Boyd of Warslown.
Robert Campbell of Kinniencleuche.
Allan Cathcart of Clowance.
Adame Reid of Barskimmin.
Johne Cathcart in Gilbisyearde.
Johne Reid, with my hand.
Johne M^c^Quhalle.
Robert Boyd of Pymont.
Mr. James Boyd of Rothraig.
Wm. Campbell, professe my baptisme.
Alexr. Cathcart, brother to my lord Cathcart.
Georg Cuninghame.
David Archbald.
Johne Moore of Wooll.
Hew Wallace, Carnell.
James Chalmer of Gadgirthe.
Hew Montgomrie of Hessilheid.
Johne Fullertown of Dreggorne.
Michell Wallace.
James Kennedye.
Georg Lockart.
Robt. Schaue.
Johne Dunbar of Boreyre.
Robert Chalmer of Marlie.
James Campbell.
Mr. David Barklay.
Johne Kennedy, sone to David Kennedy of Kirkmichell.
Patrik Kennedy.
Heu Campbell.
Allan Cathcart of Carltown.
Gilbert Gillise.
Thomas Cathcart, wt. my hand.
Johne Neilson of Kirkassie.
Robert Hunter of Hunterstown.
Robert Rankin.
Archbald Boyde.
Alexr. Nisbit, wt. my hand.
James Lockarit, wt. my hand.
Wm. Stewart of Harigg.
Hector Dunbar of Cloustang.
Alan Cathcart of Bardaroche.
Georg Ridd of Chapell house.
Hew Wallace of Musurde.
Wm. Campbell of Crigdow.
Andreu Neutown [sic, sed quere Niven] of Munkridden.
Wm. Cathcart.
James Wallace.
Hew Kennedy, knight.

MUTUAL BOND of DEFENCE between Hugh third Earl of Eglintownne and Robert Lord Boyide, 25th August 1563.

39. AT Glesgow, the XXV day of August, the zeir of God I^M^ V^c^ and sextie thre zeris: Forsamekle as ane noble and mychty lorde, Hew Erle of Eglintownne, Lorde Mwngwmry, vpone that ane pairt, Robert Lorde Boyide, vpone the wthir, wndrestandinge and perfitelie knawinge the greit luf, fauoure, kyndnes and beniuolence quhilk hes beyne in tymeis past betuex the saidis Erles grandschir and fadir, and the said Robert Lorde Boyidis fadir and hym self; and now the saidis Hew Erle of Eglintownne and the saidis Robert Lorde Boyide willinge and myndeinge that siklyik fauoure, amitie and kyndenes stande and remayne betuex thame, thair kyn, frendis and surnaymeis, and to haif the sammyn rewlingis renouat; ar bwndyn and oblist, athir till wthiris, be

the faitht and trewitht in thair bodyis, vpone lawtie, credet and honour, to tak ane leill, trew and afalde pairt, ilk ane of thame with wthiris, with thair haile poweris, in quhatswmeuyr actiounis, cawsis, querellis, debaitis and contrauerseis, mouit or to be mouit, be thame or athir of thayme, incontrer quhamswmeuyir, oure souerane Lady and hir autoritie allanerle exceptit; and sall assembile and accumpany togidder in all raidis, jurnayis, armeis, conuentiouneis and assembleis, siklyik as thair faderis did of befoir, and in the samyn maner: And ilk ane of thame to gif leile, trew and afald counsell, athir till wthiris, in all thair effaris, leswm and honest, and conseil the sammyn consell schewin and reuelit, and sall nowldir heir nor se wthiris skaithit in thair bodyis, landis, rowmis, possessiouneis, honouris, officeis, nor gudis, bot sall mak stop thairto, reveile and relleif the sammyn, and let it at thair poweris: And thir presentis duringe the dayis and termeis of athir of thair lyiftymeis to indure: In witnes of the quhilk the saidis Hew Erle of Eglintoune and the saidis Robert Lorde Boyide hes subscriueit thir presentis with thair handis interchangeabille, day, zeir and place foresaidis, befoir thir witnes, Hew Mwngwmry of Hesilheide, Maister James Boyide, sonne to Adame Boyide of Penkile, Johne Mwngwmry, brothir to James Mwngwmry of Brigende, and Williame Hegait, noter, with wtheris diuers.

EGLYNTON. R. BOYD.

INSTRUMENT of ASSIGNATION by Hugh third Earl of Eglintoune, to Robert Lord Boyde, of the bailliary of the canon lands in Cwnyghame, 25th August 1563.

170. IN Dei Nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnationis Domini millesimo quingentesimo sexagesimo tercio, menais vero Augusti die vigesimo quinto; In presens of me noter and witnes wndirwrittin, ane noble and potent lorde, Hewe Erle of Eglintoune, Lord Montgumry, beand mouit be the amitie schawin be ane noble lorde, Robert Lorde Boyde, and his fadir, to the saidis Erleis grandschir, fadir, and to him self, and als for wthiris cawsis and motiveis ressonable moving him, hes gevin oure and transferrit, as he be the tennour heirof giffis oure and transferris in the saidis Robert Lorde Boyde, all reicht, entres, kyndnes and beneuolence, that the saidis Hew Erle of Eglintoune, or his predicessouris, had or hes in and to the channone bailliorie of the channone land in Cwnyghame pertenyng to the channowneis and cheptour of Glesgw, als weile the richt and kyndnes that he had thairto of him self, or his predicessouris, with the channowne baillie seruice of the inhabitantis of the saidis landis; and the saidis Erle sall nocht in tyme cummyng tak the saidis channowne bailliorie our the saidis Robert Lord Boydeis heid in few nor wthirwayis; and gif ony wthir wald attempt or tak the samyn our the saidis Robert Lorde Boyde in tak or few, the saidis Erle sall with all his power resist thame, fortefye and manteyne the saidis Robert Lorde Boyde thairintill incontrar quhomeswmeuer, oure souerane lady allanerlye beand exceptit: Super quibus omnibus et singulis dictus Robertus Dominus Boyde a me notario publico subscripto sibi fieri petiit vnum seu plura instrumenta publica: Acta erant hec infra ciuitatem Glesguensem, in

cubiculo anteriori hospicii Thome Rois, horam circiter quintam post merediem, vel eo circa, sub anno, die, mense, quibus supra: Presentibus ibidem honorabilibus viris, viz., Hugone Montgumry de Hesilheide, Magistro Jacobo Boyde, filio Adami Boyde de Penkle, et Johanne Montgumry, fratri Montgumry de Breigend, testibus ad premissa vocatis pariter et rogatis.

Et ego vero Villelmus Hegait, clericus Glasguensis diocesis, autoritate apostolica notarius publicus: Quia, etc.

VILLELMUS HEGAIT, Notarius.

TESTAMENT of Hugh third Earl of Eglintoun, Lord Montgomrie, etc., 1563.

[1. SEN thair is na thing mair suir nor the deid, and vncertand of the hour and tyme apoyntit thairto; quhairfor we, Hew Erle of Eglintoun, Lord Montgomrie, etc., haill in my body, and havand perfyit vndirstanding in my mynd, makis my testament, device, and lattir vill in this present, to the effect following: I geif my saull to God Almychtie, my obedience and devitie to the holie kirk, my body to be burreit as it pleisis his glorious will in the kirk of Kilwyning: I mak Dame Agnes Drummond, my spous, anerly my excecutres and full intromisser with my haill, guidis and geir, movabill and vnmovabill quhatsumevir, now present, or sall happin me to haif that may pertein to me the tyme of my deceis, to be vsit, intrometit, vpliftit, and disponit thairupoun to hir awin vse as hir propir geir and guidis in all tymes cummyng:—

Item, as to my gudis and geir, movabill and vnmovabill, pertenyng or may pertein, be ony maner of way to me, I reffer the valour and quentity of the samyne at all tymes, alsuell eftir my deceis as of befoir, to the vpgeving of my said spous of the samyn.

Item, as to my dettis awand to me, I reffer that and the quantity thairof to be gevin vp be my said spous, cravit and in brocht be hir to hir awin vtillity and profeit as hir propir geir, and to haif all vrytingis of myne pertenyng thairto for the obtenyng of the samyne.

Item, as to the dettis that I am awand, or sall happin to be awand, the tyme of my deceis, to ony persone or personis quhatsumevir, I reffer that samyne to be tane tryakill of be my said spous, and to be gevin vp be hir in sa fer as sche knavis, or sall happin to knaw at ony tyme, and sall be justlie payit be her, sa fer as aucht to be done of richt and quensience, it beand justlie knawin to hir.

Item, for guid causis moving me, I leif to the said Dame Agnes, my spous, all my pairt of my forsaid guidis, present or for to cum, bayth movabill and vnmovabill, and all gold and siluer, cunzet and vncunzeit, and all vthir jovallis quhatsumevir pertenis or sall hapin to perteine to me at my deceis, be ony maner of way; and siclyk of all sic guidis and grayth quhatsumevir, gold or siluer, cunzeit or vncunzeit, quhatsumevir vthir jowallis I sall happin to get or obteine in all tymes to cum induring my lyftyme, als weill and frelie to be vsit, bruikit, and disponit be my said spous in all tymes cummyng, as hir awin propir geir, lyk as sche sall bruik all my forsaidis guidis now

present as is aboue wrytin, eftir my deceis, to be vsit and frely disponit at her awin plesour, to hir vtillity and profeit, as sche thinkis best to vse and dispone thairupone: and I the saidis Hew, be the tenour of thir presenttis, renuncis and discharges all vther testamentis mayd be me of befoir; and siclyk all vthiris my testamentis in tymes cummyng, induring my lyftyme, bot this my present testament to stand in effect as my mynd and lettir will, to be kepit and fulfillit in all poyntis induring the space and tyme as is aboue wrytin, without agmenting, reneving, or making of ony vthir testament; bot this my forsaid testament allanerly to stand in effect as is aboue wrytin induring my lyftyme.

Item, I leif Hew Montgomry, my sone and aperand air to the Quenis Maiesty, to be vsit and gouernit at hir G. plesour, and to be ane trew, faythfull subiect and obedient seruent to hir Hienes; and that it will pleis hir Maiesty to defend and mantein my said sone and aperand air, and my said spous, his moder, in all thair just and lesum causis, and to lat thame nocht be molestit nor trobillit be ony pertenand me, or ony vthir persone quhatsumevir.

Item, I mak and constetuttis the said Dame Agnes, my spous, tutrix testamenter, and be the tenour of thir presentis, makis and constetutis the said Dame Agnes to have the governyng and handilling of Hew Montgomery, my sone and aperand air, to haif him self, quhill he be of perfyt age of discressione and knawlege, to be gouernit, lernit, tetchit, and vsit be the said Dame Agnes his moder, and na vthiris, sa lang as sche remanis wedow; and faling of hir in ony sort, to George now Lord Settoune, to be tutour to the said Hew; of quhome falzeing, to the zong lard of Lethintoun; and falzeing of him, to Maister James M^{c}Gill, Clerk of Register: with powar to the said Dame Agnes, or euery ane of thame eftir folloving, in thair awin rowme, to intromet with all landis and gudis, movabill and vnmovabill quhatsumevir, may pertene to the saidis Hew my sone, to be vsit and disponit be hir induring hir tyme as said is; and falling thairof, to the said rest; to the vtillity and profeit of the said Hew, to be vnder compt and payment thairof at his perfyt age; and to vse this office of tutre als suirly and frely as may stand be the law, induring the minority of my saidis sone.

My present testament to stand in effect in all poyntis as is aboue wrytin, for the luif and favour I beir to my said spous and to my said sonne: In witnes of the quhilk I haif subscryvit this present with my hand, my propir seill is hong heirto, at Eglintoun, the day of the zeir of [God] I^{M} V^{c} thre scoir thre zeiris, befor thir witnes, Robert Craufurd of Clolynene, William Drummond, and Johne Muir, noter, quhilk witnes hes subscryvit the samyne.

Memorandum — To mak ane chartour of alienatioune vnder all clausis of varrandys, with ane precept of sesing contenit in the said chartour, to Hew Mungumry, sone and apperand air to Hew Erle of Eglinton, of all and haill the landis and lordschippis, castellis, fortalicis, mylnis, multuris, fischingis, aduocatioun and donatioun of beneficeis of the haill hous of Mungumry, bayth propirte and tennandry.

Item, to mak ane assignatioune to radempt the reuersiones of the landis of the hous of Mun-

gumry quhilk ar vnder alienatioune, reseruand to my lord the lyfrent of all landis and annuell rentis during his liftyme.

Item, to mak ane obligatioun that the said erle and his aires salbe oblist, vpone the premunitioune of xxiiii houris varning, to infeft the said Hew outher be resignatioun in our soueran Ladeis handis, or be hir hienes confirmatioun in the suirest maner can be dewysit, vnder all maner of clausis of varrandys, of alienatioune, etc.

Inventory of the 'Geir' belonging to Hugh third Earl of Eglingtoun, in his house at Edinburgh, 3rd March 1563.

The Inventour of the geir pertenand to my lord Erle of Eglingtoun, now instantlie standing in his lugeing in Edinburght, new repralit, as efter followis, sychtit be the Quenis maister amousser, the Persoun of Eglissem, and Schir Williame Macdowgall, the Quenis grace maister werk.

12. Item, imprimis, standing in my lordis schalmer of his awin, ane standing tymer bed, with syking abone and lofting vnder; Item, ane warstat, with furnist lokis and bandis; Item, ane bak stair new cled, with schotis thairin, and ane dowbill dour at the entres of the said stair, and ane closet dour within the said stair; Item, the entres of my lordis chalmer, ane dowbill dour with furnist lokis and bandis; Item, in the tua ouir chalmeris in the loft nixt my lordis chalmer at the turnepek heid, in the tane ane dowbill dowr with furnist bandis and lok, and ane bak windo to the gutter, with furnist bandis and slote; Item, in the saidis schalmeris tua cais windois furnist with bandis, snekis, ringis, rosis, glas, glas bandis and tua parpitt wallis, with tua douris furnist with bandis and lokis; Item, in tua litill schalmeris in the samyn lofting, tua cais windois, furnist with bandis, ringis, rosis, glas, glas bandis, and in the ane thre skelffis, with ane parpitt wall betuix the lytill schalmeris, and foure douris, thre thairof furnist with lokis and bandis, and the fourt, that is the bak stair dour, with bandis, snek, rings and rois; Item, in the kitching, ane dressing buird with ane litill loft thairin, and ane glas windo with bandis thairof; Item, at the entres of the hall ane dowbill dour, with furnist lok and bandis, with ane portell, with furnist bandis, snek, ring and rois, and in the parpitt wall within the kitching ane windo with furnist bandis and sloteis; Item, in the hall on the west syde ane pantrie and ane dour, with furnist loke, bandis, and kee, with thre skelffis thairin; Item, in the hall, tua grit cais windois, with furnist bandis, snek, ring and rois, and tirlesis, glas, glas bandis, and vthir thre glas windois, with irne stencheoris, and ane syde furnist buird, with the trestis and furmes in ilk syde, and ane cled bancoir at the hiebuird, with sait in the windo in the samyn; Item, in the entres out of the hall to the chalmer in the turnepek fute, ane dowbill doir with furnist bandis, snek, ring and rois; Item, in the said schalmer ane cais dour, with furnist loke, bandis, ring and rois, and inwith the samyn ane windo, with four bredis, with furnist bandis, snek, ring and rois, glas, glas bandis, and in the gawill of the samyn tua glas windois furnist with irne staincheoris, and four skelffis of tymer in the litill brais of the syde wall;

Item, in the said chalmer ane bak stair new cled, with schotis and tirlesis, and in the samyn to the entres of the said stair ane dowbill dour with furnist bandis and slote, and ane vthir closet dour; Item, the entres of the turnepek to the forstair in the hall, ane dowbill dour with furnist loke, bandis, ring and rois; Item, in the study within the foir stair, tua skelffis with dour thairin, furnist with bandis, loke, ring, rois and glas windo; Item, at the turnepek zet ane dowbill auld dour, with furnist loke, bands, snek and knok; Item, all the vnder houses furnist with suffecient douris, bandis, lokis, windois, with thair breddis.

And the day of the ressait of this invetour be the personis forsaidis, the haill lugeing is with suffecient ruft, watter tycht, to be vphaldin in the samyn matter in all thingis specefeit in the invetour be the present possessor thairof: And this invetour maid at Edinburgh, the ferd day of Merche, the zeir of God I.M V.C lxiii zeiris, and Beatrix Scheues, relict of wmquhill M.r Johnne Robertsoun, oblest to vpehald the samyn place in all thingis neceissar, sclait, tymmer, glas, glas bandis, douris, lokis and all ytheris neceissaris, the tyme of hir takis and possessioun, as it is presentlie; off the quhilkis Maister Archibald Crawfurd, Persoun of Eglissem, tuke instrumentis in name and behalf of the said Hew Erle of Eglintoun, befoir thir witness, Johne Hammiltoun, Johnne Salmond, Archibald Schankis, with vtheris diuers.

BEATRIX SCHEWES, with my hand led at the pen be the notar vnder written at my command.

Ita est, Magister JOANNES ROBERTSONE, notarius publicus, manu propria.

WARRANT by Mathew Earl of Lanox, Lieutenant-General of Scotland, to charge Hugh third Earl of Eglintoun to deliver up the Place of Kilwinning, 21st October 1565.

173. MATHO Erll of Lanox, Lord Darnly, and Lutennent-Generall maid and constetut be our sowarane Lord and Ladeis commissioun, to Robert Stenson, William Sterveling, John Morysoun, Stene Dunlop, Cudbert George, messingeris, schireffis in that part, Greit zow: Robert Hamiltoun, chalmerlane of Kilwinnyng, and keper of the samyn, wes chargyt of befoir be the King and Quenis Maiesteis letteris to delyuir the place of Kilwinning, within the vtir walles and closing of the samyn; quhilk charge beand gewin, the said Robert disobeyt the samyn, as the indorsing and instrvmentis tane thairupoun proportis; and we ar suirlie informit the said Robert remanis in the said place, intendis to hald the samyn of force, in hie contemptioun of our soweranis authoritie, geiff sa be: Quhairfoir we command zow pas incontenent, and charge Hew Erll of Eglintoun, baillie of Coninghame and Kilwinning, to caus the said place of Kylwynning, alsweill the ester ludging callit the Garding Chalmeris, as all vthir office housis within the wtir stane wall and closser of the said place, be delyuerit to zow, in our soweranis nayme and myn, within xxiiii houris nixt eftir zour charge, vnder the pane of tressoun: And geif ned be, that ze charge all our sowerane Lord and Ladeis legis duelling within the schirefdomis of Air and barrony of Ranfrow, to ryis, conkur and asist with the said baillie in taking of the said place, geif it be haldin or

closit, to brek vp the duris of the samin, and entir zow thairin: And efter that ze haif resauit the said place, charge the said baillie to resaif the samin aff zour hand, to be kepit be him surly vpoun the expensis, redyest gudis and preffittis pertenand to the said Abacie, to farder comand; wnder hiest pane and charge may follow: The quhilk to do we committ to zow, coniunctlie and seweralie, full powar be this our lettir: Subscrywit with our hand, and gewin vnder our signet, at Glasgow, the xxi day of October, the zeir of God ane thousand fyve hundreth thre scoir fyve zeris.

Vpoun the xxv day of October, the zeir of God I^{M} V^{c} lxv zeiris, I Cuthbert George, messinger within constitut, past at comand of thir letteris within writtin, and chargeit ane nobill and mychtie lord, Hew Erle of Eglintoun, baillie of Cvnynghame and of the regalitie of Kilwynning, personalie apprehendit, to caus the place of Kilwynning, alswele the eistir lugeing callit the Garding Chalmeris, as all vthir office housis within the vttir stane wall and closour of the said place, be delyuerit to me in our soueranis name, and in name and behalf of thair derrest fader, Matho Erle of Leuenax, thair graces lieutenent generale, within xxiiii houris nixt eftir this my charge, vnder the pane of tresson: At comand of the quhilk charge, the said Hew Erle of Eglingtoun delyverit to me the foirsaid place, according to the tennour of the said charge: And this I did eftir the forme and tennour of the samyne in all poynctis, befoir thir witness, Johnne Montgomery, brother germane to James Montgomery of Brigend, Alexander Cauldwell, brothir to Thomas Cauldwell of Nether Cauldwell, with vtheris diuers; and for the mair verification heirof, to this my executioun, my signit is affixit.

Vpoun the xxvi day of the said moneth of October, and zeir of God I^{M} V^{c} lxv zeiris, the said Cuthbert George, messinger foirsaid, at comand of this charge within writtin, delyverit the said place of Kilwynning, quhilk I ressavit of befoir, to the said Hew Erle of Eglintoun, quha ressauit the samyne, according to the comand of the said charge: And this I did befoir thir witness befoir rehersit; and for the mair verification of this my executioun and indorsatioun, to the samyn my signe is affixt.

Bond of Manrent by John Mungomery, brother of James Montgomery of Brigend, to Hugh third Earl of Eglinton, 25th October 1565.

74. Be it kend to all men be thir present letteris, me Johnn Mungomery, broder german to James Montgomery of Brigend, grantis me, for my self and my airis, to be cumin in perpetuall manrent of seruice to ane noble man, Hew Erle of Eglinton, his airis and successouris, for euir: For the

quhilkis causis the said Erle hes gevin and deliuerit to me, my airis and assignais, ane heretable infeftment of the fyv merk land of Auchindrane, commonle callit the Brigend, with the pertinentis, liand in the erldom of Carrik, and within the schirefdom of Air; and hes assignit to me the said Johne, and my airis, the sovm of thre hundreth merkis mony of this realm, contenit in the reuersioun maid and gevin be the said Erle to the said James vpon the redemptioun of the saidis landis; and suld content and pay to me and my forsaidis, zerle, the sovm of threttie pundis mone, at twa vsuall termes in the zeir, Vitsonday and Mertymes in vynter, proportionally: Herfor I bind and oblis me and my foirsaidis, that I nor my foirsaidis sall never heir nor se the said Erles, his airis nor successouris skayth, to their bodeis, gudis, honouris, beneficeis, heretag, landis, nor possessiones, kynismen, seruandis, nor freindis, standand in the said Erles or his airis fauouris, be nycht or be day, bot I and my forsaidis sall warn the said Erle and his airis thairof, and sall stop and lat the same at the vthermest of our pover; and sall gif him and his forsaidis the best consell we can quhen we be requirit thairto, and sall conceill the same; and sall tak the said Erles and his forsaidis aufauld and plane part, in weir and in peax, in all his actiones, causis, querellis, and debaittis, aganis all deidly, our Soueranis Hienes and thair successouris alanirly being exceptit: And for obseruing of all and sindre the premissis, in cais I or my forsaidis dois failze in perpetual seruice to the said Erle, his airis or successouris, I being requirit thairto, or my forsaidis, and the same being adiugit befoir ane juge competent thairto; in that cais the said infeftment, assignatioun, and siluer feall, and all that is past thairupoun, to expyir for euir thaireftir, without forthir proces of law, and na remeid of law, ciuil or cannoun, act or constitutioun of parliament, to be proponit in the contrar: In witnes herof to thir presentis subscriuit as folloves, my seill is herto affixt, at Eglintoun, the tuentyfive day of October, in the zeir of God I^{M} V^{c} and thre scoir fyve zeris, befoir thir vitness, Master Hew Montgomery, Vicar of Dundonald, and Johnn Symontoun, zoungar, burges of Irvin.

I, Johnn Montgomery, with my hand led on the pen be the notar vnder vrettin.

Ita est, Johannes Muir, notarius publicus.

I, Master Hew Mungumry as witnes.

I, Jhone Symontoun as wytnes.

Remission by Henry [Darnley], King of Scots, to Archibald Earl of Ergyll and others, 6th March [1565].

175. Be it kend till all men be thir present letteris, we, Henry, be the grace of God King of Scottis, and husband to the Quenis Majesty: Forsamekle as we haif remittit, and be the tennour heirof remittis our trast cousinges and counsalouris, Archibald Erle of Ergyll, Robert Lord Boyd, Thomas Maister Boyd, James Campbell of Ardkinglas, Johne Campbell, Dene of Mvrray, Johne Sempil of Fulvod, George Montgomerie, Patrick Montgomery of Giffing, Hew Mungumry of Heslait, William Mungumry, brother to the Erle of Eglintoun, Johne Lokhart of Bar, Hew

Wallace of Carnall, Mr. John Fullartoun of Drehgorne, Johne Cathcart of Carltoun, Robert Campbell of Kingyncleuche, Ross of Heining, James Bannantyne in Air, there complices, cumpany and seruantis quhatsumeuir, all actiones, querrelles and crymis quhatsumeuir, and gevis them fre licence to repair touardis ws; commandand and chargeand all and sindrie our lieges, that nane of theme tak vpon hand to inquiet, molest, or truble any of the forsaid personis, in thair bodyes or guidis, vnder all hiast pane and charge that after may follow; and als, chargeing and commanding all and sindrie our lieges that seis thir presentes, to pas with the saidis erllis, lordis, barronis and their complices and seruantes quhatsumeuir, to convoy them saifly to ws; and that ilk man that convoys them be bodin in feir of veir, accompanyit in thair best maner, vnder the panis forsaid: Subscryvit with our hand at Edinburgh, the vi of Marche, and of our ring the first zeir.

CONTRACT of MARRIAGE between John Montgomery of Mekill Dreghorne and Jonet Mure, daughter to John Mure of Cauldwall, Knight, 18th May 1566.

16. AT Eglintoun, the xviii day of Maij, the zeir of God I^M V^c lxvi zeris, it is appointit, concordit, and this present contract finalie endit betuix ane nobill and potent lord, Hew Erle of Eglintoun, on that ane pert, and Johnne Mure of Cauldwall, Knycht, takand the burding vpoun him, and oblissing him for the pert of Jonet Mure, douchtir to the said laird, on that ane pert, in maner, forme and effect as efter followis: That is to say, the said Erle at the desyre and ardent requeist of the said Johnne Mure of Cauldwall, Knycht, and for the speciale fauour he beris wnto him, the said Erle sall appoynt and addres with Johnne Montgomery of Mekill Dreghorne, be the auis and consent of the said laird and vthir freyndis to be chosin betuix the said Erle and the said Johnne Montgomery, of all dettis crawingis the said Erle may lay to the said Johnis charge for ony caus bipast; lik as salbe contenit in ane compromit to be maid thairupoun; in the quhilk compromit the said laird to be odpersoun and ourisman: and becaus the said laird is of mynd to mary his said douchtir vpoun Johnne Montgomery of Mekill Dreghorne, in that cais the said Erle sall gewe frelie to the said laird the doubling of the said Johnis mariage, and sall discharge the said Johnne Montgomery the doubill of the said mariage: and als the said Erle is content for the said lairdis caus, giwe his douchtir maryis the said Johnne Montgomery, that scho

salhaue ane ressonable proffeitt for hir lyftyme; that is to say, the thrid of the haill proffettis of the propirte of the xxii markland of Dreghorne, or contentatioun for the samyn, induring all the dayis of hir lyftyme: and gewe it salhappin barnis to be gottin lauchfullie betuix the said Johnne Montgomery and the said lairdis douchtir, in that cais the said Erle and his airis sall gewe to thair first begottin sone ane thousand markis wsuale money of this realme; and gewe thai haue na airis maill bot douchtiris, the said Erle sall pay thame fiwe hundreth markis for thair rycht, kyndnes and conscience, gewe the said Erle gettis the heretable propirtie and tennandrie of the said xxii mark land of Dreghorne, liand within the bailliery of Cuninghame and shirefdome of Aire: Reserwand to the said Johnne his lyfrent of the saidis landis, prowiding, in the maist seuir sort the said Erle can dewis, gewe the said barnis to be gottin be the said Johnne Montgomery and the said lairdis douchtir, or the successioun of the saidis barnis, failzeis and decesis at ony tyme heireftir, the said Erle gettis the saidis landis of Dreghorne in propirtie; in that cais of inlaik the said Johnne and his successioun foirsaid in maner abone rehersit, the foirsaid sowmis of money to returne agane to the said Erle, his airis or assignayis; and in cais the saidis barnis be in minoritie and lesaige at the tyme of the deceis of the said Johnne, the said Erle for contentatioun for the said lairdis douchtiris terce and rycht of the propirtie of the saidis xxii markland scho salhaue of the said Johnis and hir sonis pert, quhill he be xxi zeris of aige compleit, ane hundreth markis be zeir; and gewe the said Johnne and scho hes ane douchtir, salhaue the proffete of fiwe hundreth markis, extending zeirlie to fiftie markis money, quhill scho be xiiii zeris of aige compleit; and the vsing of the proffeitt foirsaid to stand in full contentatioun for the said lairdis douchtiris terce and rycht of the saidis landis quhill the barnis be at the zeris of aige abouewrittin; and thaireftir the said lairdis douchtir to lat the said barne, as said is, vse the proffeit of the samyne sowmis of money foirsaid; and than thaireftir presentlie the said lairdis douchtir to tak vp the thrid pert proffeitt of the foirsaidis landis: and gewe it salhappin the fathir and mothir of the saidis barnis to deceis, levand behind thame maill or femmell, thai beand in minoritie; in that cais, the said sowme of money sal be vsit, be sicht of the said Erle, and be the said laird and thair airis, to the vtilitie and proffeitt of the saidis barnis to be gottin: and in cais of deceis of the said Johnne hawand na barnis on lyfe, in that cais the said Erle and his airis sall pay to the said lairdis douchtir the sowme of ane hundreth markis zeirlie during hir lyftyme, for hir rycht, terce, kyndnes and conscience of the saidis landis of Dreghorne; securitie to be prowydit to hir in thir foirsaidis in the seurest maner the said laird and scho can dewys; and the said Erle and his airis to be bund and oblist to keip and fullfill the samyne; prowyding that the said Erle be nocht haldin nor addettit to pay nane of the foirsaid sowmis to ony of the foirsaidis personis vnto the tyme that the said Erle first entir to the said xxii markland of Dreghorne, propirtie and tennandrie, and to haue the saidis landis in his possessioun peceablie to vse and dispone thairupone at his plesour lyk as the said Johnne Montgomery dois at the making of this present; and the decrete to be gevin vpoun the said compromit to be maid betuix the said Erle and the said Johnne Montgomery, be compleitlie keipit and fullfillit for the said Johnis pert to the

said Erle lykas the said laird hes promisit to the said Erle that he sall caus the samyne to be done: Prowyding gew thair beis airis maill the said Erle sall pay nocht to the femmell afoir dewisit: Bot gewe it be incais of deceis of the said maill at ony tyme, in that cais the said Erle sall pay to the said femmell as is afoir dewisit: and for keiping and fullfilling of the premisses, athir of the saidis pertiis, for thame selffis and thair airis, hes oblist ilk ane of thame to vthiris to mak sic securitie of landis afferand to thair pert vpoun this present contract, betuix and the last day of Junii nixt to cum: Prowiding alwayis that quhat tyme and quhow sone athir of the saidis pertiis fullfillis thair pertis of this present contract, salhaue regres and ingres in and to the landis quhilk salhappin to be gevin to ony of thame in warrandice and securitie of this present contract, and sall resigne the samyne to the fullfillar thairof, vpoune aucht dayis warning, befoir ane juge competent thairto, as lauchfullie outquyt fra thame; and heirto bayth the saidis perteis hes oblist thame to vthiris in forma speculatoris: Renunceand all exceptionis, ciuile or cannon, that may be proponit or allegeit in the contrair: Prowiding, graunting and consenting that the said Erle nor his airis sall nocht be astrictit, coacit, nor compulsit, nochtwithstanding of ony landis the said Erle salhappin to infeft the said Johnne Mur of Cauldwall, Knycht, nor vthirwyis be contract or tytill quhatsumeuir in claussis of warrandice of this present contract and decret arbitrall, farder nor to fullfill to the said Jonet Mure, douchtir to the said laird, and to the airis to be gottin betuix hir and the said Johnne Montgomery of Mekill Dreghorne, farder nor the sowmis abone exprimit, conforme to this present contract; and to fullfill owthir to the said laird or his douchtir, the quhilk salbe sufficient to ony of thame: Quhairupoun the said laird and his airis, and the said Johnnet, salbe oblist to renunce the landis quhilk thai sall obtene sesing of warrandice within xxiiii houris eftir the fullfilling of the said Erlis pert to the said laird or his said douchtir; als the said Johnne Mur of Cauldwall, Knycht, bindis and oblissis him, his airis, executouris and assignayis, to the said Erle and his airis for fullfilling, obserwing and keiping of this present contract in all clausis: als the said Johnne Mure of Cauldwall, Knycht, oblisis him to the said Erle in lykwyis to warrand the decret arbitrall gevin or to be gevin betuix the said Erle and Johnne Montgomery of Mekle Dreghorne, to be keipit, fullfillit and obseruit to the said Erle in all pointis, clausis and articlis that salhappin to be thairin contenit: for the quhilkis the said Johnne Mure of Cauldwall, Knycht, and his airis, bindis and oblisis thame, togidder with siclyk landis as the said Erle salhappin to be infeft into of the said Johnne Mure of Cauldwall, Knycht, in speciall warrandice for fullfilling of this present contract and decrete arbitrall, and salbe vndir specialle warrandice to the said Erle and Dame Agnes Drummond, his spous, and the said Erlis airis, for warrandice of all sic infeftmentis or resignationis to be maid to the said Johnne Montgomery of Mekill Dreghorne in fauouris of the said Erle and his spous, or the said Erlis airis; and sall warrand the samyn fre fra all maner of dispositioun maid of befoir to ony maner of persoun or personis, swa that the said Erle and his said spous, and his airis, may peceablie vse sic infeftmentis and resignationis as beis maid and gevin to the said Johnne Montgomery of Dreghorne, als frelie as thair awin propirtie, conforme to the said decrete arbitrall and contract

abone writtin: and gew neid beis, the saidis pertiis ar content and consentis that thir presentis be renewit, keipand the substanc abone writtin; and consentis that the samin be inserit and registrat in the Buikis of Counsall, or in the Commisseris buikis of Glasgow generale, and executoriallis to pas thairupoun, in forme as efferis. In witnes of the quhilk, athir of the saidis pertiis hes subscryvit this present contract with thair handis, day, zeir and place foirsaid; befoir thir witnes, Robert Craufurd of Clolynane, Johnne Mur, notar, burges in Irvin, Johnne Baillie, with vthiris diuers.

EGLYNTON.

JHON MUR of Caldwall, Knyt.

DECREET obtained before the Sheriff of Glasgow against John Montgumerie of Langdreghorne, for forty bolls of victual and forty merks, and for other sums at the instance of the Earl of Eglintoun, 1st of May 1567.

177. MAISTER ARCHIBALD BETOUN, chantour of Abirdene, commissar of Glesgw, to the baillie of Conynghame and his deputtis, the Schireff of Air and his deputtis, messingeris, and to my louittis executouris heirof, coniunctlie and seuerale speciale constitute, greting: Forsamekle as ane noble and potent lord, Hew Erle of Eglintoun, obtenit ane decreit befoir me aganis Johnne Montgumerie of Langdreghorne, oye and air be progres to vmquhill Maister Villiam Montgumerie, his guidschir, and air to vmquhill Arthour Montgumerie, his fader, decreitand and decernand the said Johnne Montgumerie, as air immediat to the said vmquhill Arthour, his fader, and air be progress to the said vmquhill Maister Villiam Montgumerie his guidschir, to content and pay to the said noble and potent lord, pronevoye and air be progress to vmquhill Hew Erle of Eglintoun, his guidschir, and assignay lauchfullie constitute be vmquhill Dame Marioun Seytoun, Countes of Eglintoun, his moder, fourte bollis ferme beir, and the sowme of fourte merkis money, of penne maill, and five dosand of pultre, and the availl of aucht zoking of plewching, zeirlie and ilk zeir of the zeiris of God I^{M} V^{c} twentie tua, tuentie thre, twentie foure zeiris; and swa furth zeirlie, vnto the moneth of August, the zeir of God etc., fourtie four zeiris; extending to the space of tuente thre zeiris or thairby; as for the maillis, fermes, proffeittis, and dewteis of all and haill the landis of Dreghorne, extending to tuente tua merkland of auld extent, lyand wythin the bailliere of Conynghame, and schirefdome of Air: price of the boll of the said beir zeirlie ourheid, tuentie sax schillingis viii d.; price of the dosane of the said pultre, aucht schillingis; price of the zoking of the said plewching, threttene schillingis iiii d.; togidder wyth fourte schillingis for expenses of the pley, as at mair lenth is content in my said decreit gevin thairapoun, the threttene day of Nouember, the zeir of God I^{M} V^{c} lxvi zeiris last bipast: Nochttheles the said Johnne on na wayis vill mak payment to the said Hew, Erle foirsaid, of the said fourte merkis money, and the saidis fourte bollis beir, five dosane of pultre, aucht zoking of plewching, of the prices and availl foirsaid

zeirlie, the zeiris of God aboun mentionat, wythout he be compellit as is allegit: Heirfoir I charge zow straitlie, and commandis that, incontinent this precept sene, ze pas, and in our Souerane Ladyis name, authorite, and myne, command and charge the said Johnne to mak payment to the said Hew, Erle foirsaid, the said sowme of fourte merkis money, and the saidis fourte bollis beir, five dosand of pultre, aucht zoking of plewching, of the prices and availl foirsaid, zeirlie, the zeiris of God aboun mentionat, and xl schillingis for expensses, as said is, conforme to the said decreit, wythin xv dayis nixt efter he be chargit be zow thairto; and gif he failze thairin, the saidis xv dayis being bipast, that ze incontinent thairefter pass, appryss, compell, poind, and distrenze the said Johnne landis, his reddiest guidis and geir movable, quhairewer the samyn may be apprehendit, and mak pennie of his reddiest guidis; and failzeing of his movable guidis, that ze appryss his landis, efter the forme of the Act of Parliament, to the availl and quantite of the sowmes of money aboun specifiit, and mak the said Hew, Erle foirsaid, to be payit thairof: and alswa that ze, in our Soueranes names and authorite, put the saidis Johnnes guidis and geir vnder arreistment; and thair to remane at the instance of the said noble lord, ay and quhill he be payit of the sowmes aboune specifiit, conforme to the said decreit; togidder wyth ii schillingis for this precept, according to justice, as ze vill ansuer to me thairvpoun. The quhilk to do I commit to zow, coniunctlie and seuerale, my full power be this precept; delyuering the samyn be zow dewlie execut and indorsat agane to the berare. Gevin vnder the signet of office of the said Comissarie, at Glasgw, the first day of Maij, the zeir of God I.M V.c lxvij zeiris.

M.r Robert Herbertsoun.

Discharge by Thomas Montgomery to Lawrence Lyne of Stane and Bourtrehill, of his Claim of Warrandice of Disposition made by the latter to the former of the £10 land of Stane, 1st May 1570.

178. Be it kend till all men be thir present lettres, that forsameikill as Lawrence Lyne of Stane and Bourtrehill, hes disponit and ourgiffin his titill and rycht quhilkis vmquhile Hew Montgomery of Staine maid to him of the ten pund land of Staine, excepand the twa merk land and ane half of Bourtrehill, quhilkis he haldis blanche of the hous of Stane, to me Thomas Montgomery, broder germont to the said vmquhile Hew, and hes grantit him self to haue resauit fra me for the formair caus the sowme of four hundreth pundis monie, as at mair lynth is contenit in ane contract maid betuix me and the said Lawrence, of the dait at the brucht of Irwin, the first day of Maij, the zeir of God I.M V.c three scoyr ten zeiris; Neuirtheles, I the said Thomas Montgomeri bindis and oblisses me, my airis, executouris and assignais, neuir to craif warrandyce of the said Laurence, his airis nor assignais, of the foirsaid dispositioun maid to me as saidis, incaice I neuir obtein profeit nor commoditie thairof; and als secludis me and my foirsaidis newir to haue place fra this furthe to craiff or persew the said Laurence and his foirsaid of redres of the foirsaidis sowme of four hundreth pundis, the quhilk the said Laurence grantit him in the

contract to haue resauit of my handis: And attour, I the said Thomas Montgomeri grantis me to haue taine and resauit actuallie the instrumentis of seasing giffin be vmquhile Hew Montgomeri of Staine to the said Lawrence, togidder with the chartour of the samyn, with all vtheris titillis and dispositioun maid be the said Hew to the said Lawrence, excepand afoir excepit, and exoneris and dischargis the said Lawrence his airis, executouris and assignais, of all and sindrie the premisses; and am contentit that this present discharge be extendit in the maist ampill forme that cane be dewisit be awis of men of law, keipand the substance foirsaid; and, gif neid beis, to be insart in the buikis of counsall, baillie court buikis of Cunynghame, and schireff court buikis of Air; and be the tenour heirof constitutis honorable men

. my very procuratouris vndoutit, to consent to the insarting of the samyn, be this my discharg and obligatioun subscrewit with my hand, at Irwin, the first day of Maij, the zeir of God foirsaid, befoir thir witnes, Hew Scott, burges of Irwin, William Lyne, zounger of Bourtrehill, and Jhone Wallace sone liberal to Eduard Wallace of Souelltoun, with vtheris diuers.

I, Thomas Montgomery, bruthar jarmand to Hew Montgumery off Stane, with my hand.

Wm. Lyne, zounger of Bourtrehill, witnes.

Hew Scott, burges of Irwin, as vitnes.

Johne Wallace, sone to Eduard Wallace of Sewaltowne, as witnes to thir premisses.

Charge by King James VI. to the Bailie of Cunynghame, to render his accounts in Exchequer, 24th July 1570.

179. Jacobus Dei gratia Rex Scotorum, Balliuo nostro de Cunynghame ac deputatis suis, Salutem: Quia, cum consensu carissimi nostri aui, Mathei Comitis de Leuinax, Domini Dernlie, etc., nobis nostrisque regno et ligeis regentis, ordinauimus scaccarium nostrum tenendum apud Edinburgh, et inchoandum die Veneris primo die mensis Septembris proxime futuri, cum continuatione dierum: Vobis precipimus et mandamus quatenus sitis ibidem die Mercurii, sexto die dicti mensis, coram compotorum nostrorum auditoribus, prompti et parati ad reddendum compotum vestrum, tam de firmis et redditibus nostris, quam de wardis, releuiis, maritagiis, finibus et eschaetis, ac exitibus curie vestre, a tempore vltimi compoti redditi de officio vestro, portantibus vobiscum omnes denarios per vos nobis debitos, quorum termini sunt vel tunc erunt elapsi: Et hoc sub pena decem librarum nullatenus omittatis: Datum sub testimonio magni nostri sigilli, apud Edinburgh, vicesimo quarto die mensis Julii, anno regni nostri tertio.

OBLIGATION by Hugh third Earl of Eglynton, to assist the Earl of Glencarne in the pursuit and punishment of the Lard of Caldwall and others, concerned in the slaughter of Johne Ryburne, May 1571.

80. Be it kend till all men be thir present lettres, forsamekill as anent the tressonabill slauchtir committit on vmquhile Johne Ryburne be the Lard of Caldwall and his complices, be the quhilk the assurances betuix my Lord of Glencarne and me is violatt and brokin, nocht onlie to the hurt and skayth of my Lord of Glencarne, his freindis, and thai that hes sustenit the skayth, bot alswa to me, my freindis and honnorabill caussis; nochttheles, as I purge my self befoir God, swa I offir my selff and all myne to the tryall of the lawis; and is content, be thir presentis, to concur and assist my Lord of Glencarne and his honnorabill freindis in the persut of the committeris of the foirsaid cryme, thair assisteris and menteinaris in that caus, as my Lord of Glencarne and his honnorabill freindis dois; and farther, as my Lord Regentis Grace and Counsall sall think expedient, aggreabill to my honnour. And tuicheing the troublis or cummeris intervenit betuix my Lord of Glencarne his honnorabill freindis, vtheris having to do thairwith, and me, my freindis and vtheris to quhome it appertenis, the samyne to be tane vp betuix ws according to the ancient treitis and bandis, tyme and place appointit thairto, as occasioun offeris, for ending and resoluing of all debaittis and controuerseis standing betuix ws and all ouris, hinc inde: Subscriuit with our handis at the day of May, the zeir of God I.M V.c lxxi zeiris.

EGLYNTON.

AGREEMENT between the Earls of Mortoun and Mar; and the Earls of Ergile, Cassillis and Eglintoun, and Lord Boyd, whereby the latter agree to serve the King and the Regent, 12th August 1571.

81. AT Striueling, the xii day of August, the zeir of God I.M V.c thre scoir ellevin zeris: My Lordis, the Erll of Mortoun, Chancellair of Scotland, and the Erll of Mar, on the ane part, and my Lordis, the Erllis of Ergile, Cassillis, Eglintoun, and Lord Boyd, on the other part, convening and deliberating vpoun the present estait of this troublit commoun welth; it is commonit, condiscendit, and agreit vnto amangis thame as followis—

First, My Lordis, the Erllis of Ergile, Cassillis, Eglintoun, and Lord Boyd, considering the calamities quhairwith this realme, thair native cuntrie, is plaigit, throw the invard troublis and ciuile dissentioun sa lang continewing within the same, to the apparent subuersioun of the commoun weill thairof; and vnderstanding the Kingis Maiestie to be crownit and inaugurat, and the Quene, his moder, to be presentlie in the realme of England; willing thairfore to zeild to all gude meanis that may quiet the troublit state, and settle the same to His Hienes obedience, thay ar content to serue the King, and His Hienes present Regent, and to subscriue a band to that effect.

Thay salhaue a remitt to thame, thair freindis and seruandis, for not obeying and serving the King in tymes bigane, and for all other causes; except the murtheris of the King, fader to our souerane lord, and the Erll of Murray, His Hienes lait Regent, fire, murther, slauchter, revissing of wemen, thift, ressett of thift, and witchecraft; exceptand furth of the said exceptioun, slauchter and vther crymes committit in the commoun caus, or depending thairvpoun, quhilkis sall allwyes be comprehendit vnder the said remitt.

All sic as my saidis Lordis of Ergile, Cassillis, Eglintoun, and Boyd, may procure to the Kingis obedience and seruice salhaue the like appointment as thay presentlie gett, being in the like state as thay now ar in.

And seing the intentioun of the noblemen on baith pairtes is to procure the quietnes and commoun weill of the realme, and that the same can not be rather hinderit, nor be vptaking of the eschaetis and guidis of the personis now cuming to the Kingis obedience, for crymes obiectit to thame in the commoun caus, and depending thairon; Thairfore, all eschaettis of the noblemen abonewrittin, thair freindis or seruandis, disponit vpoun the occasioun of the commoun caus, or depending thairon, sall tak na effect efter the dait heirof, bot be simplie dischargeit; and all convenient securitie salbe maid thairvpoun, be actis of counsale and parliament, or vtherwys as salbe thoct expedient: Like as alsua, all panis and vnlawis for nonentering of personis callit to vnderly the law for materis tueching the said commoun caus, or depending thairon, sall semblably be dischargeit.

BOND of MANRENT by Hugh Montgomerie of Gyffin, to Hugh third Earl of Eglintoun, 10th October 1572.

82. BE it kend till all men be thir present lettres, me, Hew Montgomerie of Gyffin, and my airis, to be bundin and oblist, and, be the tennour heirof, bindis and oblisis me and thame to ane noble and potent lord, Hew Erll of Eglintoun, Lord Montgomerie, my cheif and superiour, and his airis, in perpetuale band of manrent and seruice in all tyme cuming; swa that I and my saidis airis sall tak ane leill, trew, ewffald and plane part with the saidis Hew Erll of Eglintoun and his airis, my cheiff and superiour foirsaid, in all and sindrie his and thairis actionis, causis, querrellis and debaittis lesum and honest quhatsumeuir, aganis quhatsumeuir persoun or personis that levis or dee may (myne and my airis allegance to our souerane lord and his hienes successouris allanerlie exceptit); and sall nowthir heir, se, nor vndirstand the said Erll, nor his airis, skayth, danger nor perrell to be inferrit to thame in thair honour, bodeis, landis, gudis nor possessionis, be quhatsumeuir personis; bot sall warne thame thairof, stop and lett the samyne at my vtir powar; and sall give the said Erll and his airis, the best counsale we can, being requirit thairwith; and sall hede and conceill the counsall of the said Erll and his airis, and mak na man privie thairof; and sall accumpanye and serue the said Erll and his foirsaidis with my haill kin, freindis, tenentis and force, in all and sindrie our souerane lordis journayis, assembles, raidis, ostis and armeis, conform to the proclamationis to be sett owt thairupoun, with all that we may gudlie steir, and that apoun our awin chargis and expensis; and in lyk maner sall in all the said Erlis particular effaris, journais and raidis, concur and joine with him, with all our forces, kin, freind, tennentis and seruandis, and all that we may gudlie steir, inlykmaner, contrair quhatsumeuir (our allegeance to our said souerane lord allanerlie except); and sall mak our housis and fortalices patent to the said Erll and his foirsaidis, for thair ressatt thairin quhen thai sall ples charge: Provyding alwayis, that give the said Erll requyre me or my saidis airis to accumpanay him, or his airis or successouris, to Edinburgh, or ony vthir burght or part within the realme, with my seruandis and houshald, or vthirwyis, swa that our residence with him in company exceid the space of fourtie aucht houris, the samin salbe apoun his expensis as his houshald, swa the samin be the said Erlis awin particular erand, and nocht moving apoun charge of auctoritie: And that becaus the said Erll havand actioun to the recognitioun of my landis and leving of Gyffin, throw the alienatioun of the maist part thairof be my predecessouris without his consent had thairto, or resignatioun thairof maid in his handis, he beand superiour of the samyne; and als hes gevin to me and my airis his band of maintenance and fortificatioun in all and sindrie my causis lesum and honest, as the samin in the selff at mair lenth proportis: To the performance and obseruatioun of the seruice and perpetuall manrent foirsaid, swa to be obseruit and kepit, I bind and obliss me and my airis to the said Erll and his airis, vnder the pane of periurie, diffamatioun and inhabilite perpetuale, and neuir heireftir to be reput or reknit in honnour or estimatioun, in cais of failze or breking of the samyne: In witnes heirof to thir my letteris and

band of manrent subscriuit with my hand, and with the handis of my curatouris, thai ar to say in signe and taikin of thair consentis for thair entres, my seall is affixt, at Irwin, the tent day of October, the zeir of God I^{M} V^{c} lxxii zeris, befoir thir witnes, Gabriell Maxvel of Stanelie, James Coninghame, Tutour of Craganis, Mr. Alexander Baillie, John Maxvell of Potterhill, Williame Hiegait, and John Baillie, notaris publict.

HEW MUNTGUMRY of Giffin.

BOND of MAINTENANCE by Hugh third Earl of Eglintoun, to Hugh Montgomerie of Gyffin, 10th October 1572.

183. BE it kend till all men be thir present letteris, we, Hew Erle of Eglintoun, Lord Montgomery, our airis and successouris, to be bundin and oblist, and be the tennour heirof, bindis and oblisis ws and thame to our weilbelouit cousing and seruand, Hew Montgomerie of Gyffin, and his airis; that forsamekill as the saidis Hew hes bound and oblest him and his airis in perpetuall manrent and seruice to ws, our airis and successouris, to tak ouris and thairis leill, trew and ane fald part, in all and sindrie our causis, querrellis and debaittis lesum and honest, aganis quhatsumeuir persoun or personis that levis or die may (his and thair allegeance to our souerane lord and his hienes successouris allanerlie exceptid), as at mare lenth is continit in the band and oblissing maid and gevin be him to ws thairupoun: Thairffoir we, for our selff, our airis and successouris, hes taikin and taikis the said Hew Montgomerie and his airis vndir our protectioun, supple, mantenance and defence; and sall tak his and thairis anefald, trew, and plane part in all and sindrie his lesum and honest actionis, causis, querrellis and debaittis, aganis quhatsumeuir persoun or personis that levis or dee may (our allegiance to our souerane lord and his auctoritie allanarlie exceptid); and sall help, support and defend the said Hew and his airis in his and thairis just actionis and causis, and defend and keip him and thame in thair landis, heretages, takkis, stedingis, rowmes, possessionis, gudis, geir, incontrair ony persoun or personis persewand thame thairfor; and sall nowthir heir nor se his skayth, bot sall warne thame thairof, and stop the samin at my vtirmaist powar; and sall give to thame the best counsall we can, and conceill the counsall he gevis ws; and farthir sall do all thingis that appertenis ane maister to his man and seruand: And attour, be the tennour heirof, we renunce all action of recognitioun that we haue or may move aganis the said Hew for recognitioun of his landis of Gyffin and Wrychthill, or vthiris landis quhilkis he halds of ws in cheiff, preveing throw alienation of the maist part thairof annaleit be the said Hewis predecessouris without our consent, or resignatioun maid thairof in our handis, as in the handis of the superiour thairof, and dischargis the said Hew thairof for euir: And to the obseruing of this my band of mantenance, we bind and oblis ws faythfullie, be the fayth and trewth in our body, to the saidis [Hew] and his foirsaidis: In witnes heirof to thir our letteris of mantenance, subscriuit with our hand, our seill is affixt, at Irwin, the tent day of October, the zeir of God, I^{M} V^{c} lxxii

zeris, beffoir thir witness, Gabriell Maxvell of Stanelie, James Coningham, Tutour of Craganis, Mr. Alexander Baillie, Johnne Baillie, John Maxvell of Pottirhill, and William Hegait, notaris publict.

EGLYNTON.

CONTRACT betwixt Hew Master of Eglintoun and Robert Mur of Caldwall, relative to the non-entry of the lands of Thornetoun, Biggart, etc., 9th October 1573.

4. AT the Mylnetoun in Robartoun, the ix day of Octobar, the yeir of God I^{M} V^{c} lxxiij zeiris, it is appointit, contractit and finalie endit betuix thir honorabill personis parteis vndirwrittin; to wit, Hew Maister of Eglintoun, with advise and consent of ane noble and potent lord, Hew Erll of Eglintoun, his fader, and as lauchfull administratour, gyder and gowernour to him, and the said Erll for his avin entres, on the ane part, and Robart Mur, now of Caldwall, sone to vmquhill Johnne Mur of Caldwall, Knycht, apoune the vthir part, in maner following: that is to say, forsamekle as the said Hew Maistir of Eglintoun, with the speciall advise of his said fader, his lauchfull administratour foirsaid, and the said Erl for his avin entres, being movit of kyndnes and proximitie of blude, as also calling togither in remembrance the gud, trew and thankfull seruice, fauour and gudwill of the said vmquhile Johnne Mur of Caldwall, Knycht, done and declarit to the said Erll, and inlykwyis vndirstanding the said Robert Mur of Caldwall being willing to perseweir and continew, in lyk maner as he be thir presentis is bound, oblist and sworne, for the mantennance and preseruatioun of the said Hew Maistir, the said Erll his fathir, thair airis, and the hous of Eglintoun, and aduancement of the weill of the samen, according to the perpetuall bandis of manrent and seruice maid betuix the said Robertis predecessouris, the said Hew maistir his said faderis predecessouris, and for gud considerationis, causis, and sowmes of money payit and deliuerit be the predecessouris of the said Hew Maister of Eglintoun, and the said Erll his fader for the samin; and now the said Hew Maister of Eglintoun, with the consent of the said Erll his said fadir, his administratour foirsaid, and the said Erll for his awin entres, being of gud mynd and willing to settforthvard and to manteine the said Robert Mur, his airis, and the hous of Caldwall, according to the ald ancient bandis [of] mantenance, swa that the saidis parteis heireftir salhaue na occasioun to altir or dissolue the bandis maid amangis thair predecessouris of befoir; and thairfoir the said Hew Maister of Eglintoun, superiour of the landis and mylnis respectiue vndirwrittin, with the speciall advise of the said Erll, his fadir and lauchfull administratour, gyder and governour to him, for his entres, hes disponit, gevin and grantit, lykas thay be the tenour heirof sall dispone, give and grant to the said Robert Mur, now of Caldwall, his airis and assignais, ane or ma, the vard, nonentres, maillis, fermez, proffeittis and dewites of all and haill the ten markland of Thornetoun and ten merkland of Biggart, Litill Heychtheid and Ramisheid, with the mylnis, mwltouris, annexis, connexis, and thair pertinentis, lyand in the balliareis of Coninghame and Kile Stewart respectiue, and within the schirefdome of Air, off all zeris and termes bygane that the samin hes bene in thair handis or thair predecessouris, as superiouris

thairof, be ressoun of vard or nonentres sen the deceis of vmquhill Schir Adame Mur of Caldwall, Knycht, foirgrandschir to the said Robart Mur, or ony vtheris his predecessouris, last lauchfull possessouris immediat heretable tenentis to thame or thair predecessouris of the saidis landis, mylnis, mwltouris, annexis, connexis, and thair pertinentis; and siclyk of all zeris and termes to cum, ay and quhill the lauchfull entre of the ryghtuous air or airis thairto, being of lauchfull age with the releve thairof, quhen it salhappin, in the swrest maner the said Robert pleis dewyis, and the said gyft nawyis importand varrandice apoine the said Hew Maister of Eglintoun, the said Erll his father, nor thair airis, farthir nor is presentlie in thair awin handis, or may performe be thair avin rycht alanerlie, and sall varrand the same gyft fre fra ony dispositioun maid be thame of befoir to ony persoun or personis; also providing, that the foirsaid gyft and dispositioun be nawyis preiudiciall to quhatsumeuir infeftmentis the saidis Robartis predecessouris hes of the foirnamit landis respectiue, with mylnis, annexis, connexis and their pertinentis; als the said Hew Maister of Eglintoun, with advise of the said Erll, his administratour foirsaid, and the said Erll for his avin entres, for thame, thair airis, executouris and assignayis hes exonerit, quytclamit and dischargit, and be thir presentis exoneris, quytclamiz and dischargis the said Robert Mur, his airis, executouris, and assignais, of all maillis, fermes, proffeittis and dewiteis of all and haill the xxi merkland and ane half of Mekill Dregarne, lyand in the bailliarie of Coninghame, and within the schirefdome of Air, of all zeris and termes intromettit be the said Robert or his factouris, sen the deceis of his said vmquhile fader, quha deceissit in the moneth of Septembir, the zeir of God I^{M} V^{c} lxx zeris, vnto the day and dait of thir presentis. Attour, the said Hugh Maister of Eglingtoun, with the speciall consent of the said Erll, his fader and lauchfull administratour, and the said Erll for his avin entres, consentis and permittis the said Robert Mur of Caldwall and his airis, frelie to posses, bruik, and jois in tymes cuming, all and haill the v merkland of Owir Caldwall, manes, tour and fortalice thairof, with the pertinentis, lyand in the barony of Renfrew, and within the schirefdome of the samin, als frelie as the saidis Robartis predecessouris did of befoir: the said Robart obseruand and keipand the bandis of manrent and seruice maid be his predecessouris to the predecessouris of the saidis Hew Maistir and Erll his fadir thairupoun, in all pointis conform to the ald band: For the quhilk causis abonewrittin and vthiris following, the said Robart, for him and his airis, confessis and grantis, geve it salhappin him or thame to be found slaw or slewthfull in the seruice of the said Hew Maistir of Eglintoun, the said Erll his fadir, and thair airis, and in the settinforthvard of the weill, proffeitt and honour of the hous of Eglintoun; than and in that caice, the said Robart, for him and his foirsaidis, confessis that the said Hew Maister of Eglintoun and the said Erll and thair foirsaidis salhaue full ryght and entres in and to the giftis mad and to be maid of the foirsaidis landis of Thornetoun, Lytill Heychtheid, Biggart and Rammisheid, mylnis, mvltouris, and pertinentis thairof, and in and to the proffeittis of the said fyve merkland of Caldwall owir manis, tour and fortalice, with thair pertinentis, lyand as said is; siclyk and als frelie as thay haid thairto befoir the making of thir presentis, nochtwithstanding this present contract, gyftis maid or to be maid heirvpoun; and the said Robart for him

and his foirsaidis, the gyftis, the tenour of this present contract, and effect of the samin renuncis simpliciter, and willis and grantis the samin neuir to haue effect nor strenth, in judgment nor without; and renuncis all exceptioun, ciuile or cannon, act or statut of parliament, that may be proponit in the contrair, in caice foirsaid: and attour the said Robart Mur hes renuncit, owirgivin and simpliciter dischargit fra him, his airis and assignais, and be the tenour heirof renuncis, quytclames, owirgivis, and simpliciter dischargiis all rycht, titill of rycht, clame, entres (tam petitorium quam possessorium), propirtie and possessioun that he or his foirsaidis haid, hes, or ony wyis may haue in and to the saidis landis of Dregarne, mylnis, mvltouris, maillis, fermes, proffeittis and dewiteis, tennentis, tennandreis, and seruice of fre tennentis thairof, in all tyme to cum, pertening to the said Robart Mur be quhatsumeuir rycht, in fauouris of the said Hew Maister, and the said Erll his fadir, and thair foirsaidis for euir; and sall deliuer to thame all contractis, assignationis, and vthiris writtis mad to vmquhill the said Johnne Mur of Caldwall, Knycht, be Johnne Montgomery, sum tyme lyvrentar of Lang Dregarne, and the said Robartis avin rychtis, and sall deliuer to thame the haill tennentis of the landis of Dregarne, and command thame to ansuer and obey the said Hew Maister, and his said father, and thair foirsaidis, of all thair maillis, fermes, proffeittis, dewiteis, and do seruice in all tymes cuming, exceptand the tenentis of the apprisit landis quhilkis ar allredy in the said Erlis avin handis: Provyding awayis that the said Hew Maister, and his said father, obserue and keip all takkis and rentallis maid and givin be the said vmquhill Johnne Mur, and Robart Mur, now of Caldwall, to the tenentis of Dregarne, and sall nawyis remove thame thairfra respectiue, during the lyftyme of the said Johnne Montgomery, provyding also that na rentallis nor takkis be givin heireftir, nor antedaittis to the tennentis of the saidis landis be the said Robert; bot that the saidis Maister, and Erll his father, may haue the tennentis and his ayths thairof: and for obseruing heirof, the saidis partiis ar content that this present be insert in the buikis of counsall and commissaris buikis of Glasgow; and for Registratioun heirof thai constitut thair procuratouris, committing to thame thair full powar to compeir befoir the saidis lordis and commissar respectiue quhatsumeuir dayis, and consent to the registring heirof in thair buikis, to haue the strength of thair actis and decrettis alternatiue, and thair autoritie to be interponit thairto, promittentes de rato, subscriuit be the saidis parteis, day, zeir and place foresaidis, befoir thir witnes, Thomas Sprewll of Cowdem, William Mur of Glanderstoun, Archibald Mur, brethir germanes, Johnne Montgomeric, and Mr. Alexander Baillie, seruandis to the saidis Erll.

Eglynton.

Thomas Sproull of Coldam, wetnes.
Wylem M^r^ of Gland'ston, witnes.

Heu Maister of Eglintoun.
Robert M^r^ of Caldwall.

CONTRACT of MARRIAGE between Hugh Master of Eglintoun (afterwards fourth Earl) and Gelis Boyd, daughter of Robert Lord Boyd, 13th, 16th, and 20th May 1576.

185. AT Edinburgh, Irwin and Baidlay, respectiue, the threttein, saxtein and twentie dayes of Maii, the zer of God I^M V^c lx saxtine zeiris; It is appointit, aggreit and finallie contractit betuix the nobill and honorable pairteis vnderwrittin; that is to say, ane nobill and michtie lord, Hew Erle of Eglintoun, Lord Montgomerie, etc., and Hew Maister of Eglintoun, his sone and apperand air, on that ane pairt, and ane noble and potent lord, Robert Lord Boyd of Kylmarnok, and Gelis Boyd, his dochter lauchfull, on that vther pairt, in maner, forme and effect as followis; that is to say, the said Hew Maister of Eglintoun sall, Godwilling, marie and tak to his spousit wyif, the said Gelis Boyd, and sall compleit and solempnizat the band of matrimonie with hir, in face of halie kirk and congregatioun, as the law of God requiris, with all solemniteis appertening thairto, betuix the dait heirof and the feist of Michelmes nixt and immediatlie heirefter following, or sonar as sall best pleis the said Robert Lord Boyd of Kilmernok and his freindis, as thay sall require the samin to be performit: and, in the meintyme, befoir the compleitting of the said mariage, the said Hew Erle of Eglintoun sall resigne all and haill his landis and barony of Eggillishame, with the tour and fortalice thaireof callit Polnone . . . and all and haill the said Erlis ten pund land of Stane . . . lyand within the bailliarie of Coninghame and schirefdome of Air, in our souerane lordis handis, as Prince and Steward of Scotland, and in his hienes regentis handis, haue and his grace power to resaue resignatiounis of landis haldin immediatlie of his hienes during his minoritie, in fauouris and for infeftment to be gewin and grantit be his hienes in maner following; that is to say, for heretable infeftment of coniunctfe to be gewin and grantit, as said is, to the said Hew Maister of Eglintoun, and the said Gelis Boyd, his spous future, and to the airis lauchfullie to be gottin betuix thame; quhilkis failzeing, to the said Hew Maister of Eglintoun airis and assignais quhatsumeuer, of the foirsaid tour, fortalice and maner place of Polnone, with the orchardis, zairdis thairof, and of the vtheris landis, mylnis, multuris, suckin, pendiclis and pertinentis respectiue efter specifiet of the foirsaid baronie of Eggillishame . . . and for heretable infeftment to be gewin as said is to the said Hew Maister of Eglintoun, and to the airis lauchfullie to be gottin betuix him and the said Gelis Boyd, his spous future; quhilkis failzeing, to the said Hewis airis and assignais quhatsumeuer, off all and haill the remanent of the saidis landis and baronie of Eggillishame . . . and of all and haill the foirsaid ten pund land of Stane: . . . Reservand alwyis in the said infeftment the lyifrent of all and sindrie the fornamit landis and barony of Eggillishame . . . exceptand samekill of the said barony as the said Hew Maister of Eglintoun and Gelis, his spous, ar to be infeft in coniunctfe, contenand in particulare as is abone expremit, to the said Hew Erle of Eglintoun for his lyiftyme; and als reservand the lyifrent of the foirsaid ten pund of Stane, tour, fortalice and vtheris thairof, to the said Erle and Dame Agnes Drummond, spous to the said Erle, for all the dayes of thair lyiftymes, as at

mair length salbe contenit in the saidis infeftmentis to be maid thairvpoun, quhilkis salbe obtenit and purchest equalie vpoun baith the saidis nobill lordis expensis; and the said Erle of Eglintoun bindis and obleisis him and his airis, and sall find the persones vnderwrittin, that is to say, James Sandelandis of Calder, knycht, cautionaris and souerties, coniunctlie and seuralie with him, quha be the tennour heirof becummis cautioneris and souerties, bundin and obleist, as said is, to warrand the foirsaidis landis and baronie quhairintill the said Hew Master of Eglintoun and the said Gelis ar to be infeft in maner foirsaid, to be fre from all wairds, etc. . . . Provyding alwayes that albeit the said Hew Maister, and Gelis his future spous, be in coniunctfe as said is, in the place and fortalice of Polnone, housis and biggingis thairof, as said is, yet nevertheless the samin salbe maid patent, oppin and redy to the said Erle and spous for the tyme, induring the said Erlis lyif-tyme, als oft as thay sall happin to repair to the said barony of Eggillishame; and sa lang as thay sall happin to remane thairintill, thay sall nocht onlie interteinc thair awn hous, vpoun thair awin expenssis, bot alsua sall sustene the said Maister, Gelis his spous, thair bairnis and famelie, in meit, drink and houshald, and necessaris within the said place, with thair disione thairintill, during the tyme that the said Erle and his spous sall remane thairintill, vpoun the said Erlis expensis elykwyis: And als attour, the said Erle and Lord takand consideration that the said Maister of Eglintoun, and Gelis Boyd, his spous future, ar minoris of les aige, quhairby thay ar nocht able and vnmeit for governing and gyding of ane hous, administratioun and vsing of thair leving, and zeirlie profeit of thair landis foirsaidis; it is thairfoir concludit and aggreit betuix the said noble Erle and Lord, that be thair vniforme avyis and consent, ane honest man responsall be appointit and constitute collectour to thame for ingathering and vplifting and resaving of all and sindrie the males, fermes, canes, customes and dewties of thair landis and lewingis foirsaids, zeirlie, vnto the said Hew Maister of Eglintounis compleit aige of sewinten zeiris, viz., in the moneth of July, the zeir of God I^M V^c fourscoir zeiris, quha sall mak zeirlie compt, rekkoning and payment of thare intromissioun to the saidis noble lordis; and the haill profeittis of thair landis and lewingis quhilk sall exceid thair ressonable and honourable sustentatioun, to be varit vpone thame be discretioun of the saidis lordis, salbe bestowit and warit vpoun land, annuelrent, or vtherwayes to redeme the wadset landis, quhairvnto the said Maister sall succeid, to the landis or annuelrentis to be conqueist, coft and redemit be the profit of the said Maister and Gelis landis foirsaidis during the tyme abonewrittin, to cum to the behuif and profeit of the said Maister and Gelis, and thay to be infeft in coniunctfie, and the airis to be gottin betuix thame, heretablie thairintill, be the avyis and discretioun of the said noble lordis: For the quhilkis causis the said Robert Lord Boyd, togidder with Johne Somervell of Cambusnethan, cautioner and souertie with him, coniunclie and seueralie, bindis and obleisis thame, thair airis, successouris, executouris and assignais, to content and pay to the said noble lord, Hew Erle of Eglintoun, the sowme of aucht thousand merkis vsuall money of this realme . . . In witness heirof baith the saidis parteis hes subscryvet this present contract with thair handis as followis, day, zeir and place foirsaid; and als the said cautioneris hes subscryvet the same elykwyis, befoir thir witness, Hew Montgomery of Hesil-

heid, James Boyd of Kippis, Johnne Young, wryter, Constantine Walkinschaw of Achincroiche, Johnne Baillie, servand to the said Erle, and Maister Johnne Makcalzeane, notar publict.

HEW MONTGOMERY of Hesilheid, witnes.
JAMES BOYD of Kippis, witnes.
CONSTANTINE WALKINSHAW of Achincroiche, witnes.
JOHNNE ZOUNG, w! my hand, witnes.
JOHNNE BAILLIE, witnes.
ALEX^R BAILLIE, as witnes.
ROBERT CRAUFURDE, notar publict, as witnes.

EGLINTOUN.
BOYD.
JAMES SANDELANDS.
JOHNNE SOMERVELL of Cambusnethan.
HEW MAISTER OF EGLINTOUN.
GELIS BOYD.

BOND of MANRENT by William Barclay, fiar of Peirstoun, to Hugh third Earl of Eglintoun, etc., 29th August 1577.

186. BE it kend till all men be thir present letteris, me Williame Barclay, fear of Peirstoun, and my airis, to be bundin and oblist, and be thir presentis faythfullie bindis and oblisis ws to ane noble and potent lord, Hew Erll of Eglintoun, Dame Agnes Drummond, his spous, to Hew Maister of Eglintoun, thair sone and apparent air, and to the said Maisteris airis and successouris, lellelie and trewly be the fayth of my body, in maner following: That forsamekle as the said noble lord hes at the maiking, maid, subscriuit and deliuerit to me and to my airis, ane band of mantenance contening ane zeirlie twentye four pundis vsuale money thairin, as the samin of the daitt at Irvin, the xxviii day of August, the zeir of God I^M V^c. lxxvii zeris at mair lenth proportis: Therffoir, and for certane vthir reassonable caussis moving me, and specialie be reassoun the said noble lord hes at diuers and sindry tymes in my vrgent necessitie and greit truble betuix me and my aduersareis my nychtbouris, suppleit, aydit, fertifeit and manteinit me aganis thame to my greit commoditie and weill, I the said Williame bindis and oblisis me and my ayris in perpetuall manrent and seruice to the said noble lord, Dame Agnes Drummond, his spous, Hew Maister of Eglintoun, his airis and successouris, during our lyftymes, promittand and oblissand me and thame, to all tymes cuming, to be ane leill and trew man and seruand to the saidis noble lord, his spous, maister and his foirsaidis; thare counsallis and secreittis schawin and declarit to me and my foirsaidis, we sall keip secreit and conceil the samin, and in all thair causis and particularis quhatsumeuir gif to thame the best counsall we can, as we salbe requirit thairto: The harme, skayth or hurt of the saidis noble lord, his spous, the said maister and his foirsaidis, I nor my foresaidis sall at na tyme heir, se nor vnderstand, priuatlie or publictlie, bot sall aduertize thame thairof als schortlie as possiblie we may, and sall lett, stop and impede the samin to our vtir powar: We sall at na tyme procuir ony thing directlie or indirectlie be ony meanes preiudiciall to thame, thair freindis, in landis, rowmes, possessiounes, body or guddis: I and my foresaidis airis, with our haill freindis, assisteris, men, tennentis and seruandis, and samony as we may procure and purches, sall tak ane afald, trew and plane partt with the saidis noble lord, his spous, Hew maister, thair sone.

and the said maisteris airis and successouris, in all and sindrie thair actionis, causis, querrellis, debaittis quhatsumeuir, aganis all deidlie (our and thair allegiances to our souerane lord and his hienes auctorite beand allenerlie exceptit): Our housis and strenthis and places to be patent to the said noble lord, his spous and thare foresaid at all tymes for thare releif quhen thai pleis: I, my airis, freindis, tennentis and seruandis, and samony vthiris as we may procure and obtene, sall accumpny, ryde and serue with the saidis noble lord, and his foresaid spous, sone and his airis and successouris, in all thare particular bessynes, raidis and proclamationis of our souerane lord, and to all vther conuentionis, assembleis and raiddis that thai salhappin to repair or gang to: Provyding that I the said Williame allanerlie, my hors and boy, to be apoun the expensis and charges of the saidis noble lord, maister his sone, and his forsaidis, quhen and quhat tyme I am actualie in thair seruice allanerlie: And als provyding that gif it happinnis me at ony tyme, or my foirsaidis, to faill in nocht doing our seruice to the saidis noble lord, his spous and thare foresaidis, beand requerit thareto; than and in that caice the said band and letter of feall maid to me and my foirsaidis, to expyre and be null in the selff, and of nane awale, force nor effect; the faill being allanerlie tryit and discussit be the sycht of twa Montgumreis, freindis to the hous of Eglintoun, at the option of the said noble lord and his foresaidis; quhilk I and my foirsaidis grantis to be als sufficient in all respectis, as gif the said feall and band wer reducit and retreittit be ane decreit of the Lordis of Sessioun; or vthirwayis, as gif I haid renuncit and dischargeit the samin for euir: And heirto we faithfullie bindis and oblisis us lellelie and trewlie to obserue and keip the premissis, and euery poynt thareof, lellelie and trewlie, vndir the payne of periurie and defamatioun perpetuall: In witness quhairof I haue subscriuit this present with my hand, at the burgh of Irwin, the xxix day of August, the zeir of God I^{M} V^{c} lx sewintene zeris, befoir thir witnessis, Johne Commendatar of Coldinghame, Mr. Alexander Baillie in Gartheuilt, and Johne Baillie, notar. WILLIAM BARCLAY zounger of Perstoune.

BOND of FRIENDSHIP between the Earls of Eglintoun and Glencarne, Robert Lord Boide, Sir Mathew Campbell of Lowdoun, John Wallace of Cragie, and their eldest sons, 13th June 1578.

87. BE it kend till all men be thir present letters, ws Hew Erll of Eglintoun, Lord Montgomerie, Williame Erll of Glencarne, Lord Killmawars, Robert Lord Boide, Schir Mathew Campbell of Lowdoun, Knycht, Schireff of Air, Johnne Wallace of Cragie for him selff, Hew Maister of Eglintoun, James Maistir of Glencarne, Thomas Maister of Boide, Hew Campbell of Tarringane, our eldest sones and apparent airis, and the said Johnne Wallace of Cragie taking burding apoun him for Johnne Wallace, his sone and appering air, quha salbe comprehendit heirin and subscriue thir presentis at his maioritie: Seing diuers querrellis and contrauerseis arrysing, alsweill amangis our freinds as vtheris our nychtbouris, tending to the truble and brek of the cuntre; for repressing quhairof, and for the zeall and ernist affectioun we beir to peax and

commone quietnes, and that we may be the mair able frelie and without impediment to awaitt apoun the Kingis Maiesteis seruice as it sall pleis his Hienes to employe ws; as alswa for confirming and gud intertenement of the ald bandis, amitie and kindnes amangis our housis — to be bundin and oblist, and be thir presentis apoun our fayth and honouris, the halie ewangeill tuicheit, solempnatlie bindis and oblissis ws to tak trew, faythfull, afald and plane partt all togiddir, and ilkane with vtheris, alsweill be way of law as deid, pursutt as defence, be our selffis, our landis, housis, guddis, freindis, seruandis, dependaris and all that we may move in all and quhatsumeuir actionis, causis, querrellis, contrauerseis and debettis movit or to be movit be or aganis ws, or ony ane of ws, our seruandis or freindis propirlie depending apoun ws, aganis quhatsumeuir persoun or personis (the Kings Maiestie and his Hienis auctoritie allanerlie except); and that all actionis, causis, and querrellis mowit or to be mowit be or aganis ws, ony ane of ws, or our foirsaidis, salbe ane and commone, as we and ilkane of ws haid speciale and like enteres thairintill: That all our castellis, housis, strenthis, pertening to ws, or ony ane of ws, salbe readie and patent to ws and ilkane of ws, as the caus and occasioun sall require: That we sall meit and convene als oft as salbe requisit, sall give vthir our trew, faythfull, best aduise and counsall in all effaris; sall keip vtheris counsallis and secretis, nocht reweill nor bewray the samin, and sall nocht vranguslie nor vnkindlie tak vtheris guddis, landis, offices, rowmes, takkis, steddingis or possessiones; fee, corrupt or accept vtheris seruandis, feallaris or dependaris; procuir, knaw or suffir the harme, skayth, or dishonnour of ony of ws, bot sall resist and stop the samin to our vttirmest, and sall give als haistie knawlege thairof as salbe possible to quhomesumeuer of ws it sall concerne; and sall speik nor do nathing, directlie nor indirectlie, that may be preiudiciall, dishonorabill or offensiue to vthir in ony sort: And give it salhappin, as God forbid, ony different slauchter, blude or vthir inconvenient to fall owtt amangis ony of ws, our freindis, seruandis or dependaris, the same, of quhatsumeuer wecht or qualitee it be of, salbe submittit to the decisioun and jugement of the remanent of ws subscriueris of this band, quha salhaue full powar and auctoritie to juge, decyde and decerne thairintill; quhais sentence and decreit bayth the pairteis sall byde att, fullfill, and obserue, without reclamatioun or appelatioun; and salbe als valide and effectuall in all respectis, and haue als full executioun, as the same haid bene gewin and pronuncit, eftir cognitioun in the caus, be the Lords of Sessioun, Justice Generale of Scotland, or ony vthir juge ordinar within this realme: And will and grauntis that this band be als valide and sufficient submissioun in all respectis as give the said different slauchtir, blude or inconvenient, efter committing thairof, war specialie submittit to the saidis persones subscriveris heirof, be bayth the parteis, be blank or vthir wayis; quhilk also we promise to do as we salbe requirit: and in the meyntyme, for the bettir conueniens, we and euerie ane of ws faythfullie and be our ayths promisis, bindis and oblisis ws, that quhasaeuir of ws or our foirsaidis sall happin to be offendit be vthir of ws or thair foirsaidis, we nor thay sall nawyis tak rewenge thairof be way of deid quhill we haue first desyrit the pairtie offendent to repair and amend the samin give it be ane of our selffis,

or caus the samin be reparit and amendit give it be ane of our freindis, seruandis and dependaris; and quhill we haue informit and gevin knawlege thairof to the remanent subscriueris of this band, that thai may cognosce and decerne thairintill as said is: And give it salhappin, as God forbid, ony of us to be willfull, obstinat, or stubburne, and haweing offendit, to refuis to repair and amend our offence at the sycht of the remanent subscriueris heirof, and to caus our freindis, seruandis and dependaris do the lyk in thair estaitt and degre, or, being offendit, to refuis mesour and reasoun at the sycht of the remanent subscriueris heirof, to be bundin and oblist, and be thir presentis sweris, bindis and oblisis ws to tak ane efald, trew and plane pairtt with the ressonabill and moderat partie aganis the willfull, stubburne and obstinat, bayth be way of law and deid, till he be constranit be law, force or freindlie dealling to cum to ressoun and conformitie; quhilk, and all the premisis, we and ilkane of us hes be our aythis, apoun our fayth and honnouris, faythfully and solempnantly promisit and sworne to obserue and kep, vnder the pane of periurie, infamie and perpetuall defamatioun: In witnes quhairof to thir presentis, subscriuit with our handis, our seillis ar affixt, at Striueling, the xiii day of Junii, the zeir of God I^{M} V^{c} lx auchtene zeris, befoir thir witnes, Johnne Coninghame, sone to my Lord of Glencarne, Johnne Coninghame of Corshill, Johnne Baillie, seruand to my Lord of Eglintoun, Waltir Colquhoun, seruand to my Lord Boyde, and Patrik Coninghame, sone to the Lard of Aikett.

EGLYNTOUN. R. BOYD. WYLLYEM ERLL OF GLENCARN.
HEW MR. OF EGLYNTOUN. JAMES MAISTIR OF GLENCAIRNE.
MATHOW CAMPBELL of Lowdon, Kny^{t}
HEW CAMPBELL of Terringzen.
JOHNE VALLACE of Cragy.

OBLIGATION by Robert Mur of Caldwell, and Alexander Montgomery of Meirsyde, to Hew third Earl of Eglintoun, 29th August 1578.

18. BE it kend till all men be thir present lettres, me Robert Mur of Caldwell, and Alexander Montgomery of Meirsyde, and our airis, to be bundin and oblist, and be thir presentis bindis and obliss ws, coniunctlie and seueralie, to ane noble and potent lord, Hew Erll of Eglintoun, that the guddis and geir poyndit be the said Erlis officer at the instance of Johnne Fairlie in Erdoche, fra Matho Fleger in Crummok, William Connell thair, Gilbert Fleger in Fulvodheid, and Johnne Coathird in Hudiszard, conform to ane decreit and act of propir confessiones of the saidis persones, that the saidis guddis and geir being apon the saidis persones rowmes and malingis, salbe furth cumand to the said Johnne Fairlie as law will, according to the said decreitt and act of propir confessiones; and nawyis transporte nor remove of the ground thairof, vnto the tyme that the saidis tennentis haue satisfiit and obeyit the said decreittis and actis of propir confessiones: and siclyk we obliss ws, coniunctlie and seueralie, to varrand and keip the said Erll skeythles

at the said Johnne Fairles handis anent ony skayth or inconvenient that the said Erll may incur throw non putting of his saidis decreittis and actis to executioun, and heirto we faythfullie bindis and oblisis ws coniunctlie and seueralie: and I the said Robert Mur of Caldwell oblisis me and my airis to keip the said Alexander Montgomery and his airis skaythles of the premises: and for the mair securitie we ar content that this our obligatioun be actit and registrat in the baillie court boukis of the regalitie of Killwyning, to haue the strenth of ane act and decreitt of the said baillie in tyme cuming, and executoriallis to pas heirupon: and to this effect constitutis our procuratouris, and ilk ane of thame, to consent to the registring heirof, promittentes de rato: In witnes quhairof we haue subscriuit thir presentis as followis, at Kylwining, the xxix day of August, the zeir of God I^{M} V^{c} lxxviii zeris, befoir thir witnesses, James Mur, father brother to the said Robert, Adame Quhytfurd, zounger of that Ilk.

ROBERT MR. OF CALDWALL.
ALEXANDER MUNTGUMRY of Meirsyde.

At Kylwining, the xxix of August 1578.

The quhilk day, James Mur, procuratour for Robert Mur of Caldwell, and Alexander Mongomery of Meirsyde, personalie and in presens of M^{r} Alexander Baillie in Garthamloch, ane of the baillie deputtis of Kylwining and Cunynghame, and desyrit this present obligation to be registrat and insert in the saidis buikis, and to haue the strenth, force and effect of ane act and decreit thairof: quhilk desyre the said M^{r} Alexander fand resonable, and decernis the samin to be insert in the saidis buikis, and to haue strenth, force and effect of ane act and decreit alternatiue in tymis cuming.

OBLIGATION by Margaret Maxwell, Lady Giffin, and Duncan Foster of Kilmoir, her spouse, to Hugh Earl of Eglintoun, 17th February 1581.

189. BE it kend till all men be thir present letteris, me Margret Maxwell, Lady Giffin, with consent and assent of Duncane Foster of Kilmoir, my spous, for his enteres, obleisis ws, be the fayth and trewth of our bodeis, and of our honouris, to mak patent the place, tour and fortalice of Giffin, to ane nobill and potent lord, Hew Erle of Eglintoun, Lord Montgomery, etc., and his seruandis, ay vpoun xxiiii houris warning, as sall pleis the said nobill Erll, to duell and remane thairintill during his pleasour, and the warning to be maid be the said Erle vpoun the premonitioun foirsaid to ws, or at our duelling place, and during the said nobill Erllis remaning we sall furneis to his lordschipe sic bedding and vther inspreth as is at this present within the said place: And attour, we obleis ws that the said place salbe patent for ressauing of malifactoures, and thair to remane during his lordschippis pleasour quhill executioun of justice be vsit vpoun thame, vpoun the said nobill Erleis expenssis: and sa oft as the said nobill Erle departtis furth and fra the said place, it salbe leisum to ws to intromet thairwith, and with sic inspreth bedding and insyth guydis as beis

ressauit be the said nobill Erllis seruandis during his returning to the said tour and place of Giffin: In witnes heirof we haue subscryuit this present as followes, at the burgh of Irvin, the sevintene day of Februar, the zeir of God, I^M V^c four scoir ane zeiris, befoir thir witness, Neill Montgomery of Langschaw, eldar, Andro Newein of Monkridding, James Montgomery in Bar, Quintene Muir in Criecloy, and Johnne Neilsoun, sone to James Neilsoun, burges in Irwin.

EGLYNTON.

We MARGRET MAXWELL and DUNCANE FOSTER with our handis led on the pen be the notar wnder writtin, becaus we could nocht wryt: Ita est Johannes Mur, notarius publicus.

ANDRO NEVIN of Mokredden, as witnes.

JOHNNE NEILSOUN, as witnes.

NEYLL MONTGOMERY of Langschaw, wetnes.

BOND by Hugh third Earl of Eglintoun, in reference to Contract of Marriage between Robert Master of Seatoun and Margaret Montgomerie, daughter of the Earl, 10th April 1582.

10. BE it kend till all men be thir present lettres, ws, Hew Erle of Eglintoun, Lord of Montgomery, etc., that forsamekle as be ane contract of mariage maid the day and dait of thir presentis betuix ws and Maistres Margaret Montgomery our lauchfull dochter on that ane pairt, and ane noble and michtie lord, George Lord Seatoun, and Robert Maister of Seatoun, his sone and appeirand air, on that vther pairt, for mariage to be compleit betuix the saidis Maister of Seatoun and Maistres Margaret, we, the said Hew Erle of Eglingtoune, ar bund and obleissit to content and pay to the said George Lord Seytoune the sowme of twelf thowsand merkis, vsuall money of this realme, in name of tochir with our said dochter: quhairof the first sowme of sax thowsand merkis is appoyntit to be payitt afoir the solempnizatioune of the said mareage, att the making and delyuering to the said Maistres Margaret of ane sufficient infeftment to hir in coniunctfie or lyfrent of the landis and barronies of Scatoune and Ventoune, with the pertinenttis and vtheris thairof mentionat in the said contract, conforme to the tennour thairof; and the vther sax thowsand merkis is appoyntit to be payit att thir twa termes following; to witt, thre thowsand merkis thairof, att the feist of Candlemes, in the zeir of God ane thowsand fyve hundrethe fourscoir and thre zeiris, and the last thre thowsand merkis, in compleit payment of the said twelf thowsand merkis, betuix thatt and the feist of Mertemes, in the zeir of God I^M V^c fourscoir and four zeiris: And becaus the said George Lord Seytoune hes presentlie declarit thatt he hes instantlie to do with the said first sowme of sax thowsand merkis, quhairof giff readie payment beis nocht maid be ws, he wilbe constranit to wodsett his landis for the samen; and becaus we can nocht be readie to pay the said first sowme of sax thowsand merkis quhill schortlie befoir the feist of Mertemes nix to cum; Thairfoir to be bundin and obleist, and be the tennour heirof, we faithfullie bind and obleiss ws to mak the said sowme of sax thowsand merkis readie, and to delyuer the samen to the said George Lord Seytoune, his aires and assignayes, within the burghe of Edinburghe, aucht dayes

immediatlie preceidding the feist of Mertemes in winter nix to cum, to the effect he may thairwith redeme his saidis landis to be wedsett as said is: and als we bind and obleis ws, our aires and successouris than to pay ane termes proffeitt of the saidis landis to be wedsett thairanent be the said George Lord Seatoune, extending the foirsaidis termes proffeitt to the sowme of thre hundrethe merkis money abonerehersitt: and incais we faillie in payment of the saidis sowmes, in maner and att the tyme immediatlie abone appoyntit, sa that the saidis landis to be wodsett lye vnredemitt in our default, in thatt cais we obleiss ws and our foirsaidis to content and pay to the said Lord Seatoune and his airis and assignayes the zeirlie annuall and proffeitt for the quhilk his saidis landis salbe wodsett vpone the said sax thowsand merkis for his releif of the samen, ay and quhill we furneis and pay the said sowme of sax thowsand merkis, toogidder withe the said zeirlie annuall for redemptioune thairof in maner abonewrittin: prouyding alwayes that the said first sowme of sax thowsand merkis salbe only bestowit for redemptioune of the saidis landis to be wedsett as said is, and salbe nawayes bestowit vtherwayes: Prouyding also that, nochtwithstanding of this presentt band, the said Lord Seatoune, his airis and assignayes, sall haif place to vse executioun quhansoewer thay pleis efter the said feist of Mertemes nixto cum, for the said sowme of sax thowsand merkis, incais the samen beis nocht thane payitt in maner foirsaid; and for the remanent sowmes contenit in the said contract, efter the termes thairin limitate, and conforme to the tennour thairof in all poynttis: Attour, albeit be the said contract of mariage it is aggreit that the said George Lord Seytoune sall giff, grant, dispone and assigne, att the compleitting of the said mariage, to the saidis Robert Maister of Seytoune and Maistres Margaret Montgomerie, his future spous, the zeirlie proffeittis of saxteine chalderis victuall, quheit and beir, to be zeirlie payitt vnto thame during the said Lord Seatounes lyftyme, quhairof thair is speciall designatioune maid in the said contract furthe of quhat landis the samen salbe vpliftitt, as the said contract in thatt pairt att mair lenthe beiris; newertheles we ar contentt, lyk as itt is aggreitt, be speciall consent of the said Robert Maister of Seytoune, and Maistres Margaret Montgommerie, his future spous. thatt thay, efter the said mariage, sall accept, ressaue, and intromett with aucht chalderis of the said victuall zeirlie allanerlie, quhill the first thre thowsand merkis of the last sowme of sax thowsand merkis abonerehersit be payitt: Efter the paymentt of the quhilk, the saidis Robert Maister of Seytoune, and Maistres Margaret Montgummerie, his future spous, sall ressaue, accept and intromet with tuelff chalderis of the said victuall allanerlie, and na forther, zeirlie, quhill compleit paymentt be maid of the last thre thowsand merkis abonementionat, in compleitt paymentt of the said sowme of tuelff thowsand merkis of thochir; nochtwithstanding quhatsumewer claus contenitt in the said contract thairanent, quhilk be thir presenttis in that heid is derogatt, it is alwayes prouyditt thatt efter compleitt payment of the said tuelff thowsand merkis thay sall haif intromissioune zeirlie with the said saxtene chalderis victuall, conforme to the said contractt: and for the better securetie we obleiss ws and our foirsaidis to find Thomas Kennedie of Barganie. and Hew Montgommerie of Hessilheid, cautionaris and souerties, coniunctlie and seuerallie, dewelie actit be thair obligatioune, obleissand thame, thair airis and successouris thairto, in maner

foirsaid, to be registrat in maner and with executione following, for obseruing, fulfilling and keiping of the premisses in all poynttis: And als we and the saidis Robert Maister of Seytoune and Maistres Margaret Montgomerie, his future spous, for thair consentt heirto, ar contentt and consenttis thatt thir presenttis be registratt in the buikis of counsale gif neid beis, and haif the strenthe of ane decreet of the Lordis thairof, and that executoriallis of horning and poynding, the ane butt preiudice of the vther, pas heirvpone, in forme as effeiris: and to that effect we, and the saidis Maister of Seytoune, with his future spous abonenominat, makis and constituttis
oure lauchfull and irreuocable procuratouris, coniunctlie and seuerallie, for ws to consentt to the registring heirof in maner and to the effect abonewrittin, promittand de rato, etc. In witnessing of the quhilk, to thir presentis subscryuitt with our hand, and als be the said Maister of Seytoune and Maistres Margaret Montgumrie, his future spous, in taikin of thair consenttis heirto, our signet is affixt, at Seatoune, the tent day of Apprile, the zeir of God I^{M} V^{c} fourscoir twa zeiris, befoir thir witnesses, Maister Johnne Maitland of Thirlstaine, ane of the senatouris of the College of Justice, Maisteris Johnne Scharpe and Allexander Skene, aduocattis, Maisteris James Donaldsoune and Johnne Makcalzane, thair seruandis, and Andro Neveine of Monkridding.

This is the autentike copie of the principall, lyke vnto this in all pointis, deliuerit to my Lord Seatoun, subscriuit be the Richt Noble Hew Erle of Eglintoun, etc., Robert Maister of Seatoun, and Maistres Margaret Montgomerie, his future spous, collationat be me,

Mr. James Donaldsone.

Obligation by James Earl of Glencarne, not to molest Hugh third Earl of Eglintoun. 25th May 1582.

191. Be it kend till all men be thir presentis, me, James Erle of Glencarne, Lord Kilmawrs, for my self, and takand the burding vpon me for my kyn, freindis, tennentis, seruantis, assisteris and partakeris, to haue asseurit, and be the tennour heirof, speciallie and upoun faie asseuris Hew Erle of Eglintoun, Lord Montgomerie, etc., his kyn, freindis, tennentis, seruandis, assisteris and partakeris quhatsumeuir, to be vnhurt, vnharmit, vnskaithit or indomagit in thair personis or guidis, or criminallie followit or persewit in any sorte, be me or any of my foresaidis, in law or besyde the law, for quhatsumeuir cause or occasioun preceding the date heirof, vnto the last day of Junii nixtocum inclusiue, vnder the pane of infamie, perjurie and perpetuall defamatioun, and tinsell of all honour and estimatioun in any tyme heirefter: In witnes quhairof I haue subscryuit thir presentis with my hand, at Dalkeith, the xxv day of Maii 1582, in presence of the Kingis Maiestie, and before Esme Duke of Lennox, Erle Darnely, and James Earle of Arrane, Lord Hammiltoun, witnesses heirvnto; and this assurance to be

extendit to all his hienes rebellis includit within any of the generallis foresaidis, becaus it is his hienes speciall pleasour and command.

OBLIGATION by Robert Mur of Calwall, relative to the delivery of certain papers to Dame Agnes Montgomery, Lady Simple, 13th September 1583.

192. BE it kend till all men be thir present lettres, that nochtwithstanding that I, Robert Mur of Calwall, hes ressauit ane contract and infeftment maid betuix Robert Lorde Sympill and his curatouris, with consent and assent of Hew Earle of Eglintoun, Hew Maistir of Eglintoun, his sone, on the ane pairt, Andro Maister Sympill, Margaret Stirling, his spous, and Wilzeam Symple, their sone, on the vther pairt, as the said contract and infeftment off the daitt att Paslay and Irvin respectiue, the yeir of God I^{M} V^{c} fourscoir thre zeiris, the day of the monethe of , I bind and obleis my selff na wayes to delyver the said contract and infeftment to the said Andro Maister Symple, vnto the tyme that the said Maister subscryve the infeftmentis to be maid to Dame Agnes Montgomery, now Lady Simple, of hir coniunctfie landis, according to the contract of mariage past, etc.: and that the said Earle and Maistir nor nane of the saidis Lord Simpleis curatouris salbe astrictit for warrandice of ony pairt of the said contract, bot onlie to gif thair consent thairto allanerlie: as also, that the heale blankes contenit in the said contract be fulfillit befoir the said Robert delyver the samen to the said Andro Maister, or his foirsaidis, and the contract to be reformit, conforme to the wordis abone writtin: and heirto I, the said Robert, bindis and oblesis me in maist strait forme can be dewysit, vnder the pane of warrandice of the said landis and profeitt thairof to the said Earle, Lord, and Maister: and forder, I, the said Robert Mur of Calwall, hes ressauit the double of the contract of mariage maid betuix Hew Earle of Eglintoun, and in name and behalff of Agnes Montgomery on the ane pairt, and Robert Lord Symple, with consent of his curatouris on the vther pairt, off the daitt at Paslay, the elevint day of September, the zeir of God fourscoir thre zeiris: And heirto I faythfullie bind and obliss me to the said Earle and his airis, in maist strait band of obligatioun: In witness heirof I have subscryvit this present obligatioun with my hand at Irwin, the xiii day of September, the zeir of God I^{M} V^{c} lxxxiii zeiris, befoir thir witnesses, Andro Nevin of Monkriddin, Jhone Bell, and Jhone Mur, noter publict.

ROBERT M^{R}. OF CALWALL.

CONTRACT of MARRIAGE between Patrick third Lord Drummond, and Dame Agnes Drummond, relict of Hugh third Earl of Eglintoun, 15th November 1585.

3. WE, Patrick Lord Drummond, and Dame Agnes Drummond, Countes of Eglintoun, in the feare of God, mutuallie ar content and consentis, be this our present faithfull promeis to joine our selfis togither in the honorabill band of matrimonie, and sall, Godwilling, solempnizatt the samyn dewlie and lauchfullie, as efferis, betuix and the seconde day off Februare nixtocum, swa thatt we may, according to Goddis command, continew in the samyn band, and lead our lyffis thairin togither during our lyftymes; and this we promeis faithfullie to vtheris presentlie as said is: Witnessing the samyn be our hand writtis following, at Drymen, the fyftene day of Nouember, the zeir of God ane thowsand fyve hundreth fourscoir and fyve zeiris, befoir thir witness, James Cheisholme of Cromlix, George Drummond of [Balloch, Thomas] Drummond of Corskaplie, William Drummond of Mylnab, and Mr. Maurice Drummond.

JAMES CHEISHOLME of Cromlix, witnes. THOMAS DRUMMOND of Corskaiplie, vitnes.
GEORGE DRUMMOND off Balloch, vitnes. Mr. MAURICE DRUMMOND, witnes.
WILLIAM DRUMMOND off the Mylnab, witnes.

Day, zeir, and place foirsaid: The honorabill parteis [abone writtin] gaif thair mutuall promeisis to vtheris per verbo [de presenti], in presens of the witnes aboun wryttin.

MEMORANDA and LETTERS relative to proceedings connected with the slauchtir of Hugh fourth Earl of Eglintoun [1585-6].

Memoranda.

4. ALSO I sall delyuer the iust copy, word be word, of the lettir quhilk sould haue bene gevin to the lard of Cragannis; I sall declair the man that dyittit it, with the haill witnesses contenit into it, and in quhais hand it remanis. Item, as to the first missiue, it is all wryttin with his lordschip's awin hand, and subscryuit be him: and becaus it is sum thing mistie and generall, this far I will awow and abyde be; to wit, that it was concludit amangis ws, that the Erle of Eglintownis slauchter sould be termit, in all our letteris and missiues from ane till ane vther, The lytill particulare: and also it wes concludit that thais that wes suorne and promeissit to be executouris thairof sould be lykwayis stylit in all our missiues Commowneris: swa I will qualefie, be Godis grace, suafar as I am in power, that thir foirsaid wordis, contenit in the first missiue, wes menit

be the Erle of Eglintownis slauchtter, and thais that sould haue bene the doeris thairof, and thai that wes suorne and participant thairof: and this wes inventit, feiring leist lettres mycht be tane be the way. As to the band or obligatioun gevin sen the deid, daitit at Kilmarannok, the sext day of Maii, fourescoir fyve zeiris, the body of it is writtin be Patrik Conynghame of Corssell, subscryuit be my Lord and Robertland, Acket, and Johnne of Clonebeyth: Item, thir last tua copeis, the principallis of thame ar writtin be the Abbott of Kylwynning awin hand wryt, and subscryuit be him.

I, James Erle of Glencarne, Lord of Kilmawris, be the tennour heirof, faythfullie promittis, vpoun the fayth of ane nobill man, that Alexander Conyngham of Craigannis interprysing of turnis with the remanent my freindis, beraris heirof, as thai haueand my full mynd declarit heirin, that the said Alexander salbe wnhurt, wnharmit, vnperseweit, criminallie nor ciuillie, in the law, or by the law, bei ony actioun intendit or to be intendit be me, or ony in my name, and that quhill the settilling of materis succeidand vpoun the said interprys, or farther as my saidis freindis pleissis to burding me with: Bot be the contrair, I, the said nobill lord, sall assist, fortefie, and mantene the said Laird of Craganis, as vtheris my freindis, interprysaris of the said caus, to the hasart of my lyiff, landis, and the lyiffis of all that will do for me: In witnes quhairof I haue subscryuit thir presenttis with my hand, at Fynlastoun, the aucht day of Marche, fourescoir fyve zeiris, befoir thir witnesses, Dauid Conynghame of Robertland, Alexander Conynghame of Aikett, Johnne Conynghame of Rois, my brother-germane, Alexander, Commendatare of Kylwinning, and Johnne Conynghame in Corssall, my freindis foirsaid, quhomevnto I haue communicat my mynd heirin, etc.

Cusingis, I haue ressauit zour letteris, and persaweis that zc ar reddie with zour commownaris anenttis the lytill particulare pertening to me; and willis me to haue myne reddie, quhilk I assure zow sall be; for I wald be maist glaid to haue that turne at poynt; for I crave nathing mair nor to be at quyetnes: thairfoir, sasone as ze may, I pray zow put me to sum poynt, and appoint me ane tyme of meitting to that effect. I am glaid of our freindis gud mening in that caus, quhilk salbe rememberit be me, incaice he haue to do quhairin I may pleasoure zow: Swa, attending on zour aduerteisment, committis zow to God: Off Fyndlastoun, the nynetene day of Marche, foure scoir fyve zeiris.

Zouris assured at all power.

I haue ressauit zour lettir, and anent the tryst, I haue haid ane in Irvin this day: I am surelie informit of his suspitioun takin, specialie be ane lettir direct to my Lord Sempill be him, this last Settirday; the mening quhairof is halelie to meit my Lord at Eglintoun wode nuik. As to my cuming ower to zow, it is mair suspitious: The laird of Blair is aduerteissit to remane the morne wpoun my Lord Sempillis bakenning; sua thai ordane to ryde throwcht thir feildis uerie stark;

sit thai convoy thair forces quyetlie; quhairof I thocht be my lettir to haue aduerteisit zow; For I gat nocht knawlege heirof bot sen my cuming frome Dalry to the Blair. Gawand Nasmyth hes failzeit of his promeis to ws. I sie nothing bot this mater is oppinnit wp be sum to thame, or ellis thai suspect the samyn; and leist thai suspect me, I remain their this nycht. My commownaris are nocht sua as I luiket for: for I desyrit Johnne Conynghame to be at me zestirnycht, and send to his hous and Glengarnok and gat him nocht. Sua thair ar nane with me bot Robert Blair, werie evill horsit. Adwys sadlie with the lettir, makand our commownaris informit thairof with all expeditioun; for it is of weritie that thai ar vnder suspitioun, and to luik to thame selffes narrowlie. I will wryt no farder, bot for the present committis zow to God. Zours.

Tak the best heirin be all zour adwyissis, quhairvnto I sall aggrie. Bot I think the number of our speciall and honest commownaris, I meane Caprintownis, at this tak is absent; quhais presens I thocht to my opinioun werie neidfull to ws: seing his frie meining, I wald tak no melling without him.

Darrest brether—I haue resauit zour lettir, befoir the quhilk I wes making me in reddines to haue cum to zow, being yestrein assuredlie informit inwith the nycht of his meitting the Lord Sempill aboue the tour of Auchinboythie, and thairthrow his purpois wes to haue bene in Castell Sempill this nycht. Quhat prouisionis I maid for that purpois the berare my servand can schaw yow, and of my bent mynd to haue bene with zow, quhome to I haue commonicat my haill mynd, he being to me suorne for keiping secreit of that purpois. Bot at my waycuming, I am surelie informit my Lord hes riddin to Polnone this day: quhairfoir, leist ony sould consaue ane suspitioun doing be my trawelling to zow, I haue sent my servand the berare, quha can declair to zow my conclusioune, the effec quhairof is, gif ye think meattest to follow him vpoun zour aduerteisment to me this nycht, I salbe at zow as my hors will beir me, and do with zow as my hart will serve me. I beseik God, gif it haid bene his will, that we haid haid bettir moyand nor we haue haid. Quhateuer zowr conclusiounis is this nycht aduerteis thame, and my servand sall remane with zow. Rest quhill meitting vpoun zour aduerteisement.

Zouris suorne brother.

Be it kend till all men be thir presenttis, me, James Erle of Glencarne, Lord of Kilmawris, that vpoun the commown iniureis done to me and my freindis be vmquhill Hew Erle of Eglyntoun, is wes concludit befoir me be certane of my freindis, sic as Alexander, Abbot of Kylwinning, Dauid Conynghame of Robertland, Alexander Conynghame of Aickett, and Johnne Conynghame in Corssall, with the consent of sindrie vther my freindis that reweingement sould be socht of the saidis iniureis: Quhairvpoun it is fallen out that the said Erle of Eglingtoun is slane; in respect quhairof I, be thir presenttis, bindis and obleisis me be the fayth and trewth of ane nobill man to assist, fortefie, manteine and defend the saidis Dauid Conynghame of Robertland, Alexander

Conynghame of Aickett, Johnne Conynghame, and thair complices, in the law and by the law, to the hasert of my lyiff and landis, and all that will do for me; lyk as the saidis persones obleiss thame selffes to assist me with all that lyis in thair poweris. In witnessing heirof I haue subscryuit thir presenttis with my hand, at Kilmarannok, the saxt day of Maii, the zeir of God I^m V^c fourescoir sax zeiris, befoir thir witnesses, Patrik Conynghame of Corssall, Hew Glen of Linthillis, and Williame Cocherane.

J. E. o. G.

D. C. o. R.
A. C. of. A.
J. Co.

Assignation and Disposition by Robert Master of Eglintoun to Robert Montgomery of Skelmvrlie, in name and behalf of Jeane Montgomery, his sister, of the gift of Robert Montgomery's marriage for 1000 merks, 1st May 1589.

195. Be it kend till all men be thir present lettres, me, Robert Maister of Eglintoun, donatour, and haveand, be gift of vmquhile ane noble and potent lord, Hew Erle of Eglintoun, Lord Montgomery, etc., my father, the mariage of Robert Montgomery of Skelmvrlie; and failzeing of him be deceis vnmareit, the mariage of ony vther air or aires, male or female, that salhappin to succeid to him in his landis and heretage, than vacand in the said vmquhile Erlis handis, be reasoun that vmquhile Robert Montgomery of Skelmvrly, father to the said Robert Montgomery, now of Skelmvrlie, held the landis of Skelmvrlie, Lochlibosyde, and Lochransay, with thair pertinentis, of the said vmquhile Erle, be reasoun of ward and releif, as the lettres of gift maid to me thairvpone at mair lenth beris: Forsamekle as the said Robert Montgomery, now of Skelmvrlie, hes, the tyme and to the intent of the making of thir presentis, contentit, payit and delyverit, in name and behalf of Jeane Montgomery his sister, to me, the sowme of ane thowsand merkis money of this realme, quhairof I hald me weill contentit, satisfeit and payit; and thairof for me, my aires, executouris and assignais, exoneris, quiteclames and discharges the said Jeane, hir aires, executouris and assignais thairof, for ewer: thairfoir to have maid, constitute and ordanit, and be the tennour heirof, makis, constitutis and ordanis the said Jeane Montgomery and hir aires, my verie lauchfull, vndoubtit, and irreuocable cessioners and assignays, and donatouris in rem suam, in and to the gift of the said Robert Montgomery of Skelmvrlies mariage; and failzeing of him be deceis vnmareit, the mareage of ony vther air or aires, male or female, that salhappin to succeid to him in his landis and heritage; with all and sindrie fredomes, commoditeis, profeittis and dewteis, pertening and belanging thairto; with power to the said Jeane to compone, transact, aggrie, call and persew thairfoir; and thairvpone to dispone at hir and hir foirsaidis pleasour: Surrogand and substituand the said Jeane and hir forsaidis in my full richt, title and place thairof: Turnand and transferrand fra me and my foirsaidis, in the persone of the said Jeane and hir foirsaidis,

the samin mareage and haill profeittis thairof; togidder with all richt, title of rycht, clame, enteres, propertie and possessioun quhilk I had, hes, or ony wyis may have or clame thairto for ever, frelie, quietlie, weill and in peax, but ony reuocatioun, obstacle, or agane calling quhatsumever: And farder, I bind, obleiss me and my foirsaidis to warrand, acquiet and defend this present assignatioun and dispositioun to the said Jeane and hir foirsaidis, in all and be all thingis, as is abone-writtin, to be gude, valide and sufficient in the self; and to renew, ratifie and appreif the samen, sa oft as neid beis. In witnes quhairof I have subscryvit this present with my hand, at Irwin, the first day of Maii, the zeir of God I^{M} V^{c} fourscoir nyne zeiris, befoir thir witnesses, Hew Montgomery of Hessilheid, Neill Montgomery of Langshaw, Johnne Montgomery of Scottistoun, and William Montgomery, wryter, my servand.

LANGSCHAW, Weitnes. ROBERT MR. EGLYNTOUNE.

JHONE MONTGOMERY of Scotistoun, Vitnes.

LICENCE by King James VI. to Robert Master of Eglintoun, etc., to remain at home from the Raid of Drumfries, 25th November 1589.

196. JAMES, be the grace of God, King of Scottis, To our louittis, Williame Sutherland, messinger, Johne Willsoun, messingeris, oure schireffis in that parte, coniunctlie and seueralie, specialie constitute, Greting: Forsamekle as it is humblie menit and schawne to ws be our louitt, Robert Maister of Eglintoun, for him selff, and in name of the haill kin, freindis, vassallis, men, tennentis, seruandis and dependaris vpoun the house of Eglintoun, assistaris and parttakaris in the present feid standing betuix the housis of Eglintoun and Glencarne; that quhair our richt traist cousing and counsallour, Johnne Lord Hammiltoun, haueing the cair, ouersicht and commandment of the south pairtis of our realme, within the boundis of the three wardanreis foiranent England, and haill schirefdome of Lanerk, committit to him be our will and declaratioun left at our depairting; and haueing full pouer and commissioun of iusticiarie within the saidis boundis; it wes thocht expedient that our said cousing suld repair in propir persone to our bordouris in the moneth of Januar nixtocum, for administratioun of iustice and repressing of the contempnaris of our auctoritie; and to the effect he mycht be weill and substantiouslie accumpanyed, the Lordis of oure Secreit Counsall hes ordanit our vtheiris [letteris] to be direct, chargeing all and sindrie erllis, lordis, barronis, landit gentilmen and substantious zemen, with the inhabitantis of our burrowis, within the boundis of oure schirefdome of Air and baillieris of Kyle, Carrik and Cwnynghame, that thay and ilkane of thame, weill bodin in feir of weir, addres thame to meit our said cousing, the Lord Hammiltoun, at Drumfreis, the aucht day of Januar nextocum, and to attend and await vpoun him as he sall command thame, vndir the pane of tinsale of lyffe, landis and guidis: To the quilk raid and seruice, the said Robert Maister of Eglintoun, his kin, friendis and vtheris foirsaidis may nocht conuenientlie repair, without grite hasard, perrell and inconuenient; becaus it is of veritie that our said cousing, Johnne Lord Hammiltoun, hes consauit

and beris ane deidlie haitrent, malice and inimitie aganis the said Maister of Eglintoun and vtheris foirsaidis, throw occasioun of the slauchter of vmquhile Johnne Cunynghame of Clonbae, quhilk happynnit to be committit be thame within our cousingis palice of Hammiltoun; sen the committing of the quhilk slauchter our said cousing hes manifested him selff oppin enemey to the said Maister of Eglintoun, his kin and freindis, assistair and partakar with the Erll of Glencarne in all his actionis and qwerrellis aganis thame, and as thay ar credibillie informed, hes concludit to be revengeit of thame for the said slauchter quhensoeuir he may find the commoditie; and swa gif the saidis complenaris sall convene, ryse and accumpany our said cousing, and thairby putt thame selffis vndir his pouer, it is to be feared that than he sall vtter his malice aganis thame: Forder, it is notour that we, be our will and declaratioun left at oure depairtur, haue ordanit that our said cousing, the Lord Hammiltoun, be assisted and accumpanyed at all occasiounis quhen neid sall require, be the said Erll of Glencarne, quha is presentlie making grite preparationis for the accumpanying of our said cousing; and he, his haill kin, freindis and sik as will do for him, in reddines to ryse and pas forwart with him in weirlykmaner; betuix quhome and the said complenaris, thair being presentlie deidle feid standing, thair will nocht faill at the first occasioun of meiting, gif thay salhappin to be togidder vpoun the feildis, persute be way of deid, and hostilitie to fall oute betuix thame; quhairupoun grite slauchter and bluidshed may happin, to the disquieting of the haill estate of our schirefdome of Air, and to the hinder and impeding of our seruice, and the administratioun of iustice intendit to be vsed be our said cousing at his repairing to oure bordouris, without remeid be prouidit: Quhairfoir the Lordis of oure Secreit Counsaill has gevin and grantit, and be thir presentis, gevis and grantis licence to the said Robert Maister of Eglintoun, his kin, freindis and vtheris abonewrittin, to remane and byde at hame fra the foirsaid oist and raid ordanit to convene at our said burgh of Drumfreis, vpon the said aucht day of Januar nixttocum, without ony pane, cryme, skaith or dangeir to be incurrit be thame thairthrow, in thair personis, landis, gudis or geir; nochtwithstanding quhatsumeuir oure actis, statutis, letteris, proclamationis or chargeis, maid or to be maid in the contrair; quhairanent the said Lordis, in our absence, dispensis be thir presentis: Our will is heirfoir, and we charge zow straitlie and commandis, that incontinent, thir our letteris sene, ze pas and in oure name and authoritie mak publicatioun of the premisses, be oppin proclamatioun at all placeis neidfull, quhairthrow nane pretend ignorance of the same; as ze will ansuer to us thairupoun: The quhilk to do we committ to zow, coniunctlie and seueralie, our full pouer be thir our letteris, deliuering tham be zow deulie execute and indorsate agane to the beirair: Gevin vndir our signet at Edinburgh, the xxv day of Nouember, and of our reignn the xxiii zeir, 1589.

Ex deliberatione dominorum secreti consilii.

J. Andro.

COMMISSION by King James VI. to Neill Montgomerie of Langschaw, to be tutor dative of Hugh fifth Earl of Eglintoun, 6th October 1590.

7. JACOBUS Dei gratia Rex Scotorum, Omnibus probis hominibus suis ad quos presentes litere peruenerint, Salutem: Sciatis, quia nos intelligentes predilectum nostrum consanguineum, Hugonem Comitem de Eglintoun, Dominum Montgomerie, etc., superiorem terrarum et dominii de Giffein jacentium infra balliatum de Kylestewart et vicecomitatum nostrum de Air, minorem et infra etatem tutoriam esse, cuius respectu fidelis ac dilectus noster consanguineus, Robertus Magister de Eglintoun, est eidem legitimus tutor ac administrator omnium terrarum suarum, hereditatum, annuorum reddituum, bonorumque omnium, mobilium et immobilium, constitutus: Et quia Daniel Montgomerie de Giffein, immediatus hereditarius tenens dicto nostro consanguineo, Hugoni Comiti de Eglintoun, predictarum terrarum dominii de Giffein, cum molendino de Hesilheid et suis pertinentiis, alienationem et dispositionem earundem prefato Roberto Magistro de Eglintoun et suis heredibus fecit, tenendarum de dicto nostro consanguineo, Hugone Comite de Eglintoun, suis heredibus et successoribus, per resignationem earundem in manibus dicti Comitis et Nigelli Montgomerie de Langschaw, sui tutoris datiui in hac parte ad hunc effectum specialiter constituti: Et nunc dictus noster predilectus consanguineus est intentaturus actionem reductionis contra dictum Danielem et Ezachielem Montgomereis, apparentes heredes tallie quondam Hugoni Montgomerie, filio seniori quondam Hugonis Montgomerie senioris de Giffein, et quosdam alios, pro reductione et retractatione infeofamenti et carte tallie facte et concesse per dictum quondam Hugonem Montgomerie, seniorem de Giffein, dicto quondam Hugoni Montgomerie, suo filio seniori, suisque heredibus masculis de corpore suo legitime procreatis seu procreandis; quibus deficientibus, heredi masculo legitime procreato seu procreando dicti quondam Hugonis senioris; quibus deficientibus, quondam Joanni Montgomerie, fratri germano dicti quondam Hugonis senioris, et heredibus masculis de corpore suo legitime procreatis seu procreandis; quibus deficientibus, dicto Danieli, etc., de omnibus et singulis dictis terris et dominio, cum turre, fortalicio, molendino et suis pertinentiis aliisque in dicto infeofamento contentis, cum instrumento sasine desuper sequuto carte confirmationis concesse per quondam Hugonem tunc Magistrum de Eglintoun, feoditarium superioritatis earundem, cum consensu quondam Hugonis Comitis de Eglintoun, sui patris, liberi tenementarii earundem: Quequidem actio reductionis preiudicialis extat dicto Roberto Magistro de Eglintoun, tutori antedicto; nam si eadem reducta fuerit, infeofamentum per dictum Danielem confectum dicto Roberto de eisdem absumet; vnde pars contradictoria erit in defensione dicte reductionis, et dictum Comitem in prosequutione eiusdem authorizare non poterit; et similiter dictus Magister de Eglintoun infeofamentum Jeanne Campbell, sue sponse, de quibusdam terris de predicto comite immediate tentis concessit, que per eundem, quasi superiorem earundem, suosque tutores, confirmari requiruntur; cuiquidem confirmationi dictus Magister de Eglintoun, legitimus tutor antedictus, suum consensum nullo modo adhibere potest, et si adhibuisset effec-

tualis non esset; prout etiam diuerse alie sunt actiones per dictum Comitem mouende contra dictum suum tutorem legitimum, et per dictum tutorem contra dictum Comitem, in quibus vnum contra alium aduersari oportet; vnde necesse est quod dictus Comes per alios tutores datiuos in hac parte authorizatus fuerit, pro dicte actionis reductionis prosequutione, et pro dictorum infeofamentorum per dictum magistrum dicte sue sponse concessorum confirmatione, et pro omnium aliarum actionum contra predictum Comitem suumque tutorem legitimum antedictum prosequutione et defensione: Igitur, fecimus, constituimus et ordinauimus ac tenore presentium facimus, constituimus et ordinamus dilectum nostrum Nigellum Montgomerie de Langschaw, tutorem datiuum in hac parte predicto nostro predilecto consanguineo, Hugoni Comiti de Eglintoun, etc., ad effectum suprascriptum tantummodo: dando, concedendo et committendo eidem nostram plenam potestatem antedictam actionem reductionis, prout de jure congruit, prosequendi; et similiter prescriptorum infeofamentorum confirmationi per predictum Magistrum de Eglintoun prescripte sue sponse de omnibus terris et annuis redditibus que requiruntur confirmari per dictum nostrum predilectum consanguineum, Hugonem Comitem de Eglintoun, consentiendi; prout etiam pro omnium aliarum actionum inter dictum Comitem predictumque suum tutorem legitimum mouendarum prosequutione et defensione, et in quibus eorum quisquis contra alium interesse habet; similiter et adeo libere sicuti dictus Robertus Magister de Eglintoun, vel quicunque alii dicti Comitis legitimi tutores, ante datam presentium facere potuerunt: Et generaliter predictum Comitem de Eglintoun in quibuscunque actionibus, causis et factis authorizandi, quibusquidem dictus Magister nunc tutor suum pupillum authorizare non potest: Quasquidem confirmationes, per dictum Comitem suumque tutorem datiuum antedictum dandas et concedendas, volumus et concedimus, ac, pro nobis et successoribus nostris, pro perpetuo decernimus et ordinamus adeo bonas, valiabiles et effectuales in omnibus respectibus fore, ac si eedem specialiter per dictum Comitem, cum consensu sui tutoris legitimi, facte et concesse fuissent; penes quas, ac omnia alia pericula que desuper obiici vel resiliri possunt, pro perpetuo per presentes dispensamus . . . Datum sub testimonio nostri magni sigilli, apud Halierudehous, sexto die mensis Octobris, anno Domini millesimo quingentesimo nonagesimo, et regni nostri vicesimo quarto.

At Edinburght, the xxv day of November, 1590: In presens of M^{r} Johnne Arthour, ane of the Commissyris of Edinburgh sittand in judgement, compeirit Neill Montgomerie of Langschaw, tutour datiue to ane nobill and potent lord, Hew Erle of Eglingtoun, Lord Montgomerie, etc., to the effect within specifeit, and maid faith that he sall lillilie and trewlie vse and exerce his said office of tutorie datiue in all thingis concernyng the tutorie withinwrittin, during the tyme of his office; and Robert Lord Seytoun is becum cautioun for the said Neill to the effect foirsaid, and the said Neill actit him to releif the said Robert Lord Seytoun heirof: Quhairvpoun the said Neill, for him self and his said cautioner, askit actis and instrumentis.

J. Richb.

Bond by John Zallowleyis to the Countess of Eglingtoun, 2nd October 1594.

8. Be it kend till all men be thir present lettres, me, Johnne Zallowleis, seruetour to my Ladie Countes of Eglingtoun, grantis me to haif done offence bayth to God, hir ladyschip, and my awin saull; and that in taking fra hir ladyschip certane walkit clayth, woll and linnyng claythis, furth of hir ladyschip's wardrope, maist thifteouslie, wnknowin or giffin to me be hir ladyschip: quhairof I first craif Goddis mercy and forgywenes, and nixt hir ladyschip's, quha hes ressauit the said geir agane, and hes forgiffin me: thairfoir to be bund and obleist, and be the fayth and trewth of my bodie, bindis and obleisis me, that I sall be fra this tyme furth leill and trew to the said nobill lady, my maistres, swa lang as I am in hir ladyschip's seruice; and that I sall nather heir hir skayth nor hurt bot I sall reveill the same to hir ladyschip, and sall stay the samyn sa far as in my power lyis; and alswa I sall be leill and trew to quhatsumewir man or woman I sall happin to be in seruice or cumpany with heirefter; and that I sall nather heir thair skayth nor hurt bot I sall stay the samyn, swa far as I may, and sall schaw the samyn to thame: and gif I do in the contrair heirof, athir to the said nobill lady, my maistres, or zit to ony man or womane I sall be in cumpany with heirefter, I am content newer to be estimat ane honest man, bot to be counted, estemit, and persewit as ane theif, vagabunde and defamit persone, be this present, subscryuit with my hand, at Edinburgh, the secund day of October, the zeir of God I^{M} V^{c} fourscoir fourtene zeiris.

J. Zallowleyis, with my hand.

Testament of Dame Jane Hammiltoun, Countess of Hugh third Earl of Eglingtoun, 18th December 1596.

9. The Testament Testamenter and Inventare of the guidis, geir, sowmes of money and debtis pertening to vmquhile ane rycht honorabill lady, Dame Jane Hammiltoun, Countes of Eglingtoun, the tyme of hir deceis, quha deceissit vpoun the xviii day of December 1596, faithfullie gevin vp be hir awin mouth at Edinburgh, the nynt day of December, anno foirsaid, and subscryuit with hir awin hand, in presens of William Hammiltoun, burges of the Cannogait, Williame Dowglas, George Meggett, hir awin servandis, Alexander Dundas and Johnne Foulare, servandis to Dauid Dundas of Preistisinche.

In the first, the said vmquhile noble lady, Dame Jane Hammiltoun, Countes of Eglintoun, had the guidis, geir, sowmes of money and debtis of the availl and prices eftirfollowing, pertening to hir the tyme of hir deceis foirsaid; namely, Item, in redie gold in pois, ane hundreth crownis of the sone, at iii lib. x s. the pece. Summa, iii^{c} l lib. Item, in vtenceillis and domiceillis, jowallis, siluer werk, ornamentis and abuilzementis of hir body, estimat to the sowme of i^{m} merkis.

Summa of the inventare, i^{m} xvi lib. xiii s. iiii d.

Followis the debtis awand to the deid.

Item, thair wes awand to the said vmquhile noble lady be M^r. Thomas Gilbert, aduocat, quhairupoun thair is proces depending befoir the Commisser of Edinburgh, nyne vnces and ane anegell wecht of gold, price of the vnce xxxiii lib. vi s. viii d. Summa, iii^c v lib. vi s. viii d. Item, be James Lord Lindsay, for his Witsounday and Mertymes termes annuellis, anno 1596, quhilk the defunct had zeirlie to vplift fra the said lord and his cautioneris furth of the landis of the Dene, baronie of Abircorne, and vtheris his landis, during all the dayis of the defunctis liftyme allanerlie, the sowme of v^c xx lib. Item, be Robert Jowsy, Thomas Foullis, and diuers vtheris thair cautioneris, burgesses of Edinburgh, conforme to four seuerall obligationis, the sowme of ellevin thowsand merkis; quhairof i^m merkis thairof to be payit at Witsounday nixt, and the rest, extending to ten thousand merkis, to be payit at Witsounday nixt thaireftir, in anno 1598, as the saidis obligationis beiris.

Summa of the debtis awand to the deid — viij^m i^c lviij lib. xiij s. iiij d.

Summa of the inventare with the debtis — ix^m i^c lxxv lib. vj s. viij d.

Followis the debtis awand be the deid.

Item, thair wes awand be the said vmquhile noble lady, Dame Jane Hammiltoun, Countes of Eglingtoun, to my Lord Hammiltoun, hir brother, iiii^m merkis, quhilk scho ordanis be payit be Robert Jowsy in satisfaction of the haill sowme of iiij^m merkis contenit in his obligatioun maid to the defunct thairupoun: Item, to Margaret Hammiltoun, dochter to my Lord of Paislay, lykwais the defunctis brother, vther iiij^m merkis, ressauit be hir fra James Lord Lindsay, for redemptioun and outquyting of ane annuelrent of iiij^c merkes monie, quhairinto hir ladyschip wes infeft in lyverent, and the said Margaret Hammiltoun in fie, zeirlie to be vpliftit furth of the landis of the Dene, and sensyne redemit: Item, to Schir Johnne Hammiltoun of Lettrik, Knicht, the sowme of i^m merkis, conforme to the defunctis obleisment maid be hir to him: Item, to James Maister of Paislay, conforme to hir obligatioun, v^c merkis: Item, to Mr. Henry Balfour, advocat, for his procuratioun in sindrie hir ladyship's actionis, i^c merkis: Item, to Mariorie Hammiltoun restand of hir fyve zeiris service, ij^c merkis: Item, to Andro Nepare, burges of Edinburgh, for his hous maill occupyit be hir of the terme of Mertymes, in anno 1596 zeiris, and Witsounday terme, in anno 1597, i^c lib.

Summa of the debtis awand be the deid — vi^m vi^c xxxiij lib. vi s. viij d.

Restis of frie geir, the debtis deducit — ij^m v^c xlij lib.

Na diuisioun.

Followis the deidis Legacie and Lettirwill.

Item, the said noble lady, haill in mynd and spreit, bot waik in body, maikis hir legacie and lettirwill as followis, namely: Item, I leve to Dauid, Archibald, Margaret, Marie and Helene Hammiltouns, bairnis lauchfull to James Hammiltoun of Langhirdmestoun, the sowme of v^c merkis

money: Item, I leve to Thomas Hammiltoun of Preistisfeild ij^{c} merkis money: Item, to Mr. Thomas Hammiltoun his sone, aduocat to his Maiesty, iij^{c} merkis money, provyding thay accept the office of executrie; vtherwais not: Item, to Elizabeth Montgomery, my ald servand, ij^{c} and l merkis, to be vsit be hir during hir liftyme, and eftir hir deceis to cum to Mr. Johnne Ræ, hir sone, and his airis: Item, to the said Mr. Johnne Ræ, my servand, for the trew seruice done be his father and him to me v^{c} merkis: Item, to Margaret Dundas, my servand, i^{c} merkis: Item, to Jane Cuthbertsone, in Linlithqw, my god-dochter, xx lib.: Item, to Aristotill Cuthbertsone, hir fader, x lib.: Item, to Thomas Ræ, gairdner in Linlithqw, x lib.: Item, to Thomas Gemmill thair, x lib.: Item, to James Lytiliohnne, in Hammiltoun, my ald servand, x lib.: Item, to Begy Wilsoun, spous to Robert Ker, v lib.: Item, to Williame Hammiltonis pure bairnis, i^{c} merkis: Item, I leve to Jonet Wadie, spous to Robert Smyth at the Strait Bow of Edinburgh, xl lib., to by hir self dule claithis, or vtherwais, as scho lykis to imploy the samin: Item, I leve to the pure depauperat houshalderis of Eistwode, ij^{c} merkis, to be distributit to thame be avise of Mr. Thomas Jak, minister thairof, and Mr. Johnne Ra, factour of Eistwode: Item to the pure of Hammiltoun, x lib., to be distributit to thame be the minister and elderis of Hammiltoun kirk: Item, I leve to the pure of Edinburgh, Leith and Cannogait, ij^{c} merkis, to be distributit to thame be Mr. Robert Bruce, minister: Item, to the Hospitall of Edinburgh, the Quenis Colledge, for my buriall place, i^{c} merkis, vtherwais not: Item, I leve i^{m} merkis to be honestlie bestowit vpoun my buriall be my executouris, according to my honour and estait, as thai sall ansuer to God: Item, I leve to Dauid Dundas and Mr. Johnne Ræ, ilkane of thame xl lib., to by thame dule claithis: Item, to Agnes Hammiltoun, spous to William Hammiltoun, and Margaret Hammiltoun, ilkane of thame xxiiij lib., to by thame dule claithis: Item, to Mariorie Hammiltoun, xl lib., to by hir dule claithis; and ordanis the foirsaidis personis to accumpanie me to my buriall: Item, I leve to Margaret Hammiltoun, dochter to my Lord Hammiltoun, my brother, ane gown of claith of siluer, with the skirt, sleves, and manstonis of crammasie sating, browderit with cordingis of gold, with ane waskene of quhite sating pasmentit with siluer and gold; twa pair of manstonis of spottit armene, ane chemeze of perle, ane carkeit of perle, with the best pair of garnesingis of gold: Item, to Margaret Hammiltoun, dochter to my Lord of Paislay, my brother, ane gown of reid crammesie veluet, pasmentit with siluer and gold, with skirt, sleves and manstonis of purperit sating, browderit with cordingis of siluer; ane waskene of blew damas, bandit with veluet; twa peces of figurat veluet, the ane reid crammasie, the vther zallow; twa manssis of crammasie pan veluet, with ane cheinze, ane carkeit of gold, ane peirle, and ane cheinze of cristell and geittis, with ane pair of garneissingis of gold: Item, to Issobell Hammiltoun hir sister, ane gown of reid crammasie sating pasmentit with siluer and gold, with skirt, sleves, and manstonis of claith of siluer vpoun gold, with ane meist cheinze set about with gold, with ane pair of garnesingis of gold: Item, to Jane Hammiltoun, Lady Luss, ane gown of claith of tinsall, with sleves lynit with spottit armene, with ane pece of the stuffis self, and ane skirt, twa pair of sleves, and ane pair of manstonis of blak claith of gold: Item, to Mary Hammiltoun, dochter naturall to my Lord of Paislay, my brother,

ane gown of blak veluet: Item, to Margaret Dischingtoun, spous to James Hammiltoun of Langhirdmestoun, ane gown of blak sating, with ane clok of growgrane taffatie, lynit with welsch skynnis: Item, to Marioun Hammiltoun, spous to Dauid Dundas, ane lytill round gown of blew purpure veluet: Item, in ane blak coffer in Dudingstoun, and about my bed in Edinburgh, sex pair of courtingis with thair pendicles, fyve cuscheonis with sevin singill Frinche scheittis; and, in ane vthir fir kist thair, four coveringis of beddis, quhairof ane on reid, ane on blew, ane on orainge, and ane onarische werk, with thre pair of blankettis, and four peces of claith, quhilk I refer to the inventer: Quhilk foirsaid geir is of my awin making, and maid of the said Dauidis woll, and woir thame thair, and levis thame to the said Dauid to be vsit be him at his plesour, incais of my depairture, togidder with ane reid malt quhilk I haue in Edinburgh. The said noble lady maikis, constitutis, and nominattis hir loving freindis, Thomas Hammiltoun of Preistfeild, Mr. Thomas Hammiltoun, his sone, advocat to his Maiesty, Dauid Dundas of Preistinche, and Mr. Johnne Ræ, factour of Eistwod, hir ladyschip's onlie executouris and intromettouris with hir guidis and geir, sowmes of money, debtis, and vtheris abonewrittin; and willis and ordanis thame to distribute and dispone the samin to the personis respectiue foirsaidis, iustlie and vprichtlie as thai sall ansuer in presence of God. In witnes quhairof the said noble lady hes subscryuit this hir testament and lettirwill with hir awin hand, day, zeir, place, and befoir thir witnesses abonenameit: Sic subscribitur, Jane Hammiltoun; Williame Hammiltoun, witnes, William Dowglas, witnes, George Megget, witnes, Johnne Foulare, witnes.

Bond by Mr. Thomas Hammilton of Preistisfeild and others, to Mr. John Rae, 5th January 1596.

200. Ws Thomes Hammilton of Preistisfeild, Mr. Thomas Hammilton of Drumcairne, advocat to our Souerane Lord, and Dauid Dundas of Preistisinche, be the tennour heirof grantis ws to be bund and oblist to our lowit Mr. Johne Ræ in Hammilton, in maner following: Forsamekle as we, being nominat thrie of the executouris testamentaris and intromettouris with the guidis and geir of vmquhill Deame Jene Hammiltoun, Comptes of Eglingtoun, with the said Mr. Johne Ræ, conforme to the nominatioun contenit in the said vmquhile Countes testament and latter will, and nocht abill to accepte nor dischairge the said office of executrie as accordis, be reassoun of our wechtie busenes, and vtheris lauchfull caussis distracting ws thairfra, we haif eirnestlie requyrit and imployit the said Mr. Johne, as ane quha hes knowledge of the said vmquhill Countes will, conteinit in the said testament, and writter thairoff, to except the said office vpone him, and to releve ws of our burdein: quhome we faythfullie bindis and oblissis ws to assist, fortifie and manteine in the lauchfull discharge thairof; and sall hald hand to him in seing the said legacie perfyitit and accomplischit according to the will of the deid; and that he sall incur na perell nor dainger thairanent, sua far as we may stope or latt: and for the said Mr. Johneis better securete at our handis, we ar content, willis and consentis to the discharging of the said

nominatioun sua far as it concernis ws; and that our names be deleit furth of the samyng, gif neid requyre: and that we, nor nane of ws sall mak truble, molestatioun, nor impediment to him, his assignais nor otheris in his name, in confirmatioun of the said testament, nor vtherwayis, directlie nor inderectlie in tyme cuming: and last of all, we discharge be thir presentis all and quhatsumewer sowmes of money, guidis and geir quhilk we, or ony of ws, our ayris, executouris or assignais, mycht ask, clame, or crave be the said testament as executouris or vtherwayis quhatsumeuer, be deceis of the said vmquhile countes (except particular legaceis left to ws respectiue be the said testament, nochtwithstanding ony provisioun maid in the contrair of the samyng), and heirto we faythfullie bind and oblissis ws to the said Mr. Johne in maner foirsaid: In witnes quhairof we haiff subscryivit this present lettre with our handis, at Edinburgh, the fyift day of Januar, anno I^{M} V^{c} lxxxxvi zeiris; befoir thir witnesses, Dauid Hammiltoun, writter, Arthour Hammiltoun, also writter.

CONTRACT between King James VI., Ludovick Duke of Lennox, and Hugh fifth Earl of Eglingtoun, for the marriage of the Earl and Gabriela Steuart, sister of the Duke, 10th and 13th April 1598.

At Striveling, day, moneth and zeir eftir specifiet.

1. FORSAMEKLE as our Soverane Lord being weill affectionat, be ressone of tendirnes of bluid and vther considerationis moveing him, to his trustie and best belouit cusing, Ludouick Duik of Lennox, etc., and his sisteris; and willing that thay and ilk ane of thame salbe honorablie and fauorablie helpit and promovit to thair weill and dignitie, His Maiesties honour, and the perpetuall standing and preseruatioun of the maist ancient and nobill hous of Lenox; quhairof His Maiestie hes gevin guid pruif and experience in tyme bygane, and is lykwayis of deliberat mynd and intentioun to continew and prosecut the samen in tyme cuming in all thingis quhilkis may concerne his said cusing, his sisteris, thair kin and freindis: And mairouer, His Maiestie being weill informit of the maist notabill and guid seruice done to His Maiestie and his maist nobill progenitouris, Kingis of Scotland of guid memorie, be the Erlis of Eglingtoun, quha, for thair loyall and faithfull seruice done to the Croun and cuntrie, hes bene honorablie promovit and liberallie rewardit be His Maiesties maist nobill progenitouris, quhilk puttis His Maiestie in hoip that Hew now Erle of Eglingtoun, his Hienes cusing, sall continew in the lyk, and conforme him self, his obedience and service, to his saidis predicessouris: Thairfoir His Maiestie, and the said Ludouick Duik of Lennox, etc., wnderstanding that Gabriela Steuart, sister germane to the said Ludouick, now presentlie in the realme of France, is of perfite and convenient age for mariage, and willing that scho salbe mariit with ane of guid bluid, rank, estait and dignitie, faithfullie promisis to send for hir in all guid and possible haist, and caus hir to be brocht and convoyit hame to this realme, and eftir hir arryvall and hamecuming, to do all guid diligence to obtene hir consent, and to caus hir solemnizat and compleit the band of matrimonie in face of halie kirk as Godis

word dois allow, with Hew Erle of Eglingtoun, within the space of monethis eftir hir arryvall in this realme: For the quhilk causis, His Hienes and the said Duik of Lennox promittis and oblisis thame, thair airis and successouris, coniunctlie and seuerallie, that the said mariage being compleit, thay sall thankfullie content and pay to the said Hew, now Erle of Eglingtoun, in name of tochar guid with the said Gabriela, the soume of , guid and wsuall money of this realme; lyk as also His Maiestie, for the causis abone wrettin moveing him, and the respect quhilk he hes to the weill and standing of his said tender and darrest cusing, Hew Erle of Eglingtoun, his hous, posteritie and freindis, be thir presentis ressauis him and thame in His Hienes maist firme and suir tuition and protectioun aganis all his and thair wnfreindis and enemies quhatsumeuir without exceptioun; promisand in the inviolable word of ane king and prince, to protect, mentene and defend him and his foirsaidis (and speciallie Robert Boyd of Badinheth, speciall kinisman, wncle and freind to the said Erle, quha hes takin maist cair and maid greitest expens vpoun his educatioun and vpbringing), as it becumis ane gratious prince to his subiect, kinisman and trew freind, or as it perteins to ane father to do to his loving child; and the rather, becaus the said Erle is minor and destitut of father and mother: And also becaus the said Erlis leving is in ward presentlie in the handis of sik as hes richt thairto be His Maiesties gift and dispositioun, thairfoir His Hienes sall put to his helping hand to forder him in sum guid way, to the effect he may be honorablie susteint conforme till his estait; and in the meane tyme His Hienes declaris that he will sustene the said Erlis charges in sik guid forme and ordour as His Hienes sall think maist expedient; as alsua will sie and provyid that all wther his effaris and actionis of law be perseuit and defendit as His Maiesties awin actionis, vpoun His Hienes awin charges and expensis: The quhilk premissis abone wrettin the said Hew Erle of Eglingtoun maist humlie cravis of His Maiestie to be performit and endit with all diligence, and with consent of his tutouris, and vtheris wnder subscryveand, acceptis the samen in all poyntis abone expremit, and oblisis him, with consent foirsaid, to infeft, be chartour and sasing, the said Gabriela, in hir wirginitie, in contemplatioun of the said mariage, with generall claus of warrandice in dew and competent forme, in coniunct fie and lyverent, for all the dayis of hir lyftyme, in als mony landis, mylnis, fischingis, and of als meikle zeirlie rent, proffeit and deuties, as euir ony vther Countes of Eglingtoun haid of coniunctfie or lyverent be ony of the said Hew his predicessouris, Erlis of Eglingtoun, in ony tyme bygane: In witnes of the premisis, His Maiestie, the said Ludouick Duik of Lennox, Hew Erle of Eglingtoun, his tutouris and vtheris, hes subscryvit thir presentis (writtin be Patrik Innes, servand to the clerk of register) the tent and threttene dayis of Aprile, the zeir of God I^{M} V^{c} fourscoir auchtene ziris, befoir thir witnessis, Adame Commendatour of Cambuskinneth, Sir George Home of Spot, Knycht, Michael Elphinstoun, maister houshald to His Maiestie, Sir James Anstruther appeirand of that ilk, maister houshald to Hir Maiestie, Johne Erle of Mar, Sir Thomas Erskin of Gogar, Sir George Elphingstoun of Blythisuod, Knycht, and Mr. Johne Skene, clerk of register, Dauid Boyd of Tourgill, Johnne Cleland zounger of Foscane, Robert

Crawfuird, sone to the Laird of Crawfuirdland, and Robert Scailes, seruitour to the said Erle of Eglintoun.

		A. Cambuskinneth, witnes.
Dauid Boyd, vitnes.	Mar, vitnes.	Sr. G. Howme, wettnes.
Johnne Cleland, vittnes.	T. Areskyne, vitnes.	M. Elphinston, vitnes.
Robert Craufurd, wittnes.	S. G. Elphingstoun, vitnes.	S. J. Anstrwtheir, witneiss.
Robt. Scailes, witnes.		Mr. Johne Skene, witnes.

The Statutes and Ordinances of the Masons of Scotland, 1598–99.

At Edinburcht, the xxviii day [Decem]ber 1598.

2. The statutis and ordinances to be obseruit be all the maister maissonis within this realme, sett doune be Williame Schaw, maister of wark to his Maiestie, and generall wardene of the said craft, with consent of the maisteris efter specifeit.

Item, first, that thay obserue and keip all the gude ordinances sett doune of befoir, concerning the privilegeis of thair craft, to thair predicessouris of gude memorie; and specialie, that thay be trew ane to ane vther, and leve cheritablie togidder, as becumis sworne brether and companzeonis of craft.

Item, that thay be obedient to thair wardeneis, dekynnis and maisteris, in all thingis concerning thair craft.

Item, that thay be honest, faithfull and diligent in thair calling, and deill vprychtlie with the maisteris or awnaris of the warkis that thay sall tak vpoune hand, be it in task, meit and fie, or oulklie wage.

Item, that nane tak vpoune hand ony wark, grit or small, quhilk he is nocht abill to performe qualifeitlie, vnder the pane of fourtie pundis money, or ellis the fourt pairt of the worthe of the wark; and that by and attour ane condigne amende or satisfactioun to be maid to the awnar of the warks, at the sycht and discretioun of the generall wardene, or in his absence, at the sycht of the wardeneis, dekynnis and maisteris of the schirefdom quhair the said wark is interprisit and wrocht.

Item, that na maister sall tak ane vther maisteris wark over his heid, efter that the first maister hes aggreit with the awnar of the wark, ather be contract or verball condition, vnder the pane of fourtie pundis.

Item, that na maister sall tak the wirking of ony wark that vther maisteris hes wrocht at of befoir, vnto the tyme that the first wirkaris be satisfeit for the wark quhilk thay haif wrocht, vnder the pane foirsaid.

Item, that thair be ane wardene chosin and electit ilk zeir, to haif the charge over everie ludge, as thay are devidit particularlie, and that be the voitis of the maisteris of the said ludges, and consent of thair wardene generall, gif he happynis to be present; or vther wyis, that he be aduerteist that sic ane wardene is chosin for sic ane zeir, to the effect that the wardene generall may send sic directionis to that wardene electit as efferis.

Item, that na maister sall tak ony ma prentissis nor thre, all his dayis and during his lyftyme, without ane speciall consent of the haill wardenis, dekynnis and maisteris of the schirefdome quhair the said prenteis is to be ressauit.

Item, that na maister ressaue ony prenteis bund for fewar zeiris nor sevin at the leist; and siclyke it sall nocht be lesum to mak the said prenteis brother and fallow in craft, vnto the tyme that he haif seruit the space of vther sevin zeiris efter the ische of his said prenteischip, without ane speciall licence grantitt be the wardenis, dekynnis and maisteris assemblit for that caus; and that sufficient tryall being tane of the worthynes, qualificatioun and skyll of the persone that desyris to be maid fallow of craft; and that vnder the pane of fourtie pundis to be vpliftit as ane pecuniall penaltie fra the persone that is maid fallow of craft aganis this ordour, besyde the penalteis to be sett doun aganis his persone, according to the ordour of the ludge quhair he remanis.

Item, that it sall nocht be lesum to na maister to sell his prenteis to ony vther maister, nor zit to dispens with the zeiris of his prenteischip, be selling therof to the prenteisis self, vnder the pane of fourtie pundis.

Item, that na maister ressaue ony prenteis, without he signifie the samyn to the wardene of the ludge quhair he dwellis, to the effect that the said prenteissis name and the day of his ressauing may be ordourlie buikit.

Item, that na prenteis be enterit bot be the samyn ordour that the day of thair entres may be buikit.

Item, that na fallow of craft nor maister be rassauit nor admittit, without the numer of sex maisteris and tua enterit prenteissis, the wardene of that ludge being ane of the said sex, and that the day of the ressauing of the said fallow of craft or maister be ordourlie buikit, and his name and mark insert in the said buik, with the names of the sex admittaris and enterit prenteissis, and the names of the intendaris that salbe chosin to euerie persone, to be alsua insert in thair buik: Providing alwayis, that na man be admittit without ane assay and sufficient tryall of his skill and worthynes in his vocatioun and craft.

Item, that na maister wirk ony maissoun wark vnder the charge or command of ony vther craftisman that takis vpoun hand to wirk ony maissoun wark.

Item, that na maister or fallow of craft ressaue ony cowanis to wirk in his societie or cumpanye, nor send nane of his servandis to wirk with cowanis, vnder the pane of twentie pundis sa oft as ony persone offendis heirintill.

Item, it sall nocht be lesum to na enterit prenteis to tak ony gritter task or wark vpoun hand fra a awnar, nor will extend to the sowme of ten pundis, vnder the pane foirsaid.

Item, gif ony questioun, stryfe or variance, sall fall out amang ony of the maisteris, servandis or enterit prenteissis, that the parteis that fallis in questioun or debait sall signifie the causis of thair querrell to the particular wardeneis or dekynnis of thair ludge, within the space of xxiiii houris, vnder the pane of ten pundis; to the effect that they may be reconcilit and aggreit, and thair variance removit be thair saidis wardenis, dekynnis and maisteris: and gif ony of the saidis parteis salhappin to remane wilfull or obstinat, that thay salbe deprivit of the privilege of thair ludge, and nocht permittit to wirk thairat vnto the tyme that thay submitt thame selffis to ressoun, at the sycht of thair wardenis, dekynis and maisteris, as said is.

Item, that all maisteris, interprisaris of warkis, be verray cairfull to se thair skaffaldis and fute-gangis surelie sett and placeit, to the effect that throw thair negligence and sleuch na hurt or skaith cum vnto ony personis that wirkis at the said wark; vnder the pane of discharging of thame thairefter to wirk as maisteris havand charge of ane wark, bot sall euer be subiect, all the rest of thair dayis, to wirk vnder or with ane vther principal maister having charge of the wark.

Item, that na maister ressaue ane vther maisteris prenteis or servand that salhappin to ryn away fra his maisteris seruice, nor interteine him in his cumpanie, efter that he has gottin knawledge thairof, vnder the pane of fourtie pundis.

Item, that all the maisteris that salhappin to be send for to ony assemblie or meitting, salbe sworne be thair grit aith, that they sall hyde nor conceill na faultis nor wrangis done be ane to ane vther, nor zit the faultis or wrangis that ony man hes done to the awnaris of the warkis that thay haif had in hand, sa fer as thay knaw, and that vnder the pane of ten pundis, to be takin vp fra the conceillaris of the saidis faultis.

Item, it is ordanit that all thir foirsaidis penalteis be listit and tane vp fra the offendaris and brekaris of thir ordinances, be the wardennis, dekynnis and maisteris of the ludges quhair the offendaris dwellis, and to be distributit ad pios vsus, according to gude conscience, be the advyis of the foirsaidis.

And for fulfilling and obseruing of all thir ordinances sett down as said is, the haill maisteris, conuenit the foirsaid day, bind and obliss thame faithfullie heirto; and thairfoir has requeistit thair said wardene generall to subscriue thir presentis, with his awin hand, to the effect that ane autentick copy heirof may be send to euerie particular ludge within this realme.

WILLIAM SCHAW, Maistir of Wark.

xxviii December 1599.

First, It is ordanit that the warden within the boundis of Kilwynning, and vtheris placeis subiect to thair ludge, salbe chosin and electit zeirlie be mony of the maisteris voitis of the said ludge, vpoun the twentie day of December, and that within the kirk of Kilwynning, as the heid and secund ludge of Scotland; and therefter that the generall warden be advertysit zeirlie quha is chosin warden of the ludge, immediatelie efter his electioun.

Item, it is thocht neidfull and expedient be my lord warden generall, that everie ludge within Scotland sall have in tyme cuming the auld and antient liberteis therof vsit and wont of befoir: and in speciall, that the ludge of Kilwynning, secund ludge of Scotland, sall haif thair warden present at the election of the wardenis within the boundis of the Nether Waird of Cliddisdaill, Glasgow, Air and boundis of Carrik; with powar to the said warden and dekyn of Kilwynning to convene the remanent wardenis and dekynis within the boundis foirsaid quhan thay haif ony neid of importance ado, and thai to be judgit be the warden and dekyn of Kilwynning quhen it sall pleis thame to convene for the tyme, ather in Kilwynning, or within ony vther part of the west of Scotland and boundis foirsaid.

Item, it is thocht neidfull and expedient be my lord warden generall, that Edinburgh salbe in all tyme cuming, as of befoir, the first and principall ludge in Scotland; and that Kilwynning be the secund ludge as of befoir, is notourlie manifest in our awld antient writtis; and that S[triue]ling salbe the thrid ludge, conforme to the auld privileges thairof.

Item, it is thocht expedient that the wardenis of everie ilk ludge salbe answerable to the pres[byte]ryes within thair schirefdomes for the maissonis subiect to the ludgeis, anent all offensis ony of thame sall committ; and the thrid part of the vnlawis salbe employit to the godlie vsis of the ludge quhair ony offens salhappin to be committit.

Item, that ther be tryall takin zeirlie be the wardenis and maist antient maisteris of the ludge, extending to sex persones, quha sall tak tryall of the offensis; that pvnishment may be execut conform to equitie and iustice and guid conscience and the antient ordour.

Item, it is ordanit be my lord warden generall, that the warden of Killwynning, as secund in Scotland, elect and chuis sex of the maist perfyte and worthiest of memorie within [thair boundis], to tak tryall of the qualificatioun of the haill masonis within the boundis foirsaid, of thair art, craft, scyance and antient memorie; to the effect the warden deakin may be ansuerable heireftir for sic personis as is commitit to him, and within his boundis and jurisdictioun.

Item, commissioun is gewin to the warden and deacon of Killwynning, as secund ludge, to secluid and away put furth of thair societie and cumpanie, all personis disobedient to fulfill and obey the haill actis and antient statuttis sett doun of befoir of guid memorie; and all personis disobedient ather to kirk, craft, counsall and vtheris statuttis and actis, to be maid heireftir for ane guid ordour.

Item, it is ordanit be the warden generall, that the warden and deacon [to be pres]ent of his quarter maisteris, elect, cheis and constitut ane famous notar, as ordinar clark and scryb; and that the said notar to be chosinge sall occupye the office, and that all indentouris, discherges and wtheris wrytis quhatsumeuer, perteining to the craft, salbe onlie wrytin be the clark; and that na maner of wryt, neyther tityll nor wther euident, to be admit be the said warden and deacon befoir thame, except it be maid be the said clark, and subscryuit with his hand.

Item, it is ordanit be my lord generall, that the hale auld antient actis and statutis maid of befoir be the predecessouris of the masounis of Killwynning, be obseruit faithfullie and kepit be the

craftis in all tymes cuminge; and that na prenteis nor craftis man, in ony tymes heireftir, be admittit nor enterit, bot onlie within the kirk of Killwynning, as his paroche and secund luge; and that all bankattis for entrie of prenteis or fallow of craftis to be maid within the said lug of Kilwynning.

Item, it is ordanit, that all fallows of craft at his entrie, pay to the commoun bokis of the luge the soum of ten pundis mone, with x s. worthe of gluiffis, or euir he be admittit, and that for the bankatt; and that he be not admittit without ane sufficient essay and pruife of memorie and art of craft, be the warden, deacon and quarter maisteris of the luge, conforme to the foirmur; and quhairthrow thai may be the mair ansuerable to the generall warden.

Item, that all prenteissis to be admittit, be not admittit quhill [thai] first pay to the commoun bankat foirsaid, the sowme of sex pundis mone; wtherwyes to pay to the bankat for the haill [memberis] of craft within the said luge and prenteissis thairof.

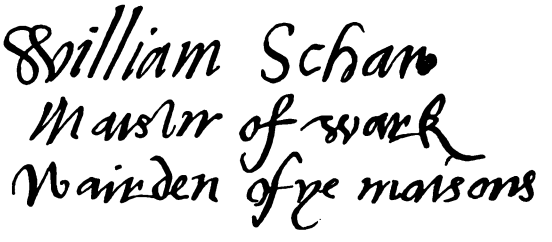
Item, it is ordanit that the warden and deaconis of the secund lug of Scotland, present of Killwynning, sall tak the aythe, fidilitie and trewthe of all maisteris and fallowis of craft within the haill boundis committit to thair chairge, zeirlie, that thai sall not accumpanie with cowans, nor work with thame, nor any of thair servandis or prenteissis; wndir the pain of the penaltie contenit in the foirmuir actis and peying thairof.

Item, it is ordanit be the generall warden, that the warden of the lug of Killwynning, being the secund lug in Scotland, tak tryall of the art of memorie and science thairof, of euerie fallowe of craft and euerie prenteiss, according to ather of thair vocationis; and in cais that thai haue lost ony point thairof, euerie of thame to pay the penaltie as followis, for thair slewthfulnes; viz., ilk fallow of craft, xx s., ilk prentesse xi s., and that to be payit to the box for the commoun weill zeirlie; and that conforme to the commoun vse and pratik of the commoun lugis of this realm.

And for the fulfilling, obseruinge and keping of thir statutis, and all thair actis and statuttis maid of befoir, and to be maid be the warden, deaconis and quarter maisteris of the lugis foirsaidis, for guid ordour keping, conforme to equitie, iustice and antient ordour; to the makinge and setting doun quhairof, the generall warden hes gevin his powar and commissioun to the said warden and vtheris abonevrittin, to set doun and mak actis conforme, as accordis to the office and law: And in signe and taking thairof, I, the generall warden of Scotland, hes sett doun and causit pen thir actis and statutis, and hes subscryuit the samynis with my hand efter the testimoniale.

Be it kend to the warden, dekyn, and to the maisteris of the ludge of Kilwynning, that Archibald Barklay, being directit commissioner fra the said ludge, comperit in Edinburgh, the twentie sevin and twentie awcht of December instant, quhair the said Archibald, in presens of the warden generall, and the maisteris of the ludge of Edinburgh, producit his commissioun, and behaifit himself verie honestlie and cairfullie for the discharge of sik thingis as was committit into him; bot be ressone of the absence of his Maiestie out of the toun, and that thair was na maisteris bot the

ludge of Edinburgh convenit of this tyme, we culd nocht get sik ane satlat ordour (as the privileges of the craft requyris) tane at this tyme; bot heirefter, quhan occasion salbe offerit, we sall get his Maiesties warrand, baith for the authorizing of the [ludgeis] privileges, and ane penaltie sett downe for the dissobedient persones and p[ertur]beris of all guid ordour: Thus far I thocht guid to signifie vnto the h[aill] brether of the ludge, vnto the neist commoditie: In witnes heirof, I haif subscriuit this present with my hand, at Halyrudhous, the twentie awcht day of December, the zeir of God I^{M} V^{c} four scoir nynetene zeiris.



DISCHARGE by William Mwre of Rowallane to Robert Montgomery of Skelmourlie, of a Bond for £630, 23rd May 1602.

203. I, WILLIAME MWRE of Rowallane, for my selff and in name and behalff of Johnne Mwre my sone, grantis me [to haue] ressauit fra Robert Montgomery of Skelmourlie, as principall, Niniand Barcley, proveist, and Johnne Peblis, burges of Irwin, cautioneris for him, the sowme of sax hundrethe pundis, with threttie pundis money for the annuell thairof sen Mertimes last, quhilk the saidis personis ar bund and oblist be contract and appointment maid betuix thame, on the ane pairt, and me for my selff and burdiner for my said sone on the vther pairt, registrat in the burrow court buikes of Irwin vpoun the day of last bypast, to pey to me at this Witsonday, the tuentie thrie day of Maii instant, off the quhilk principall sowme of sax hundrethe pundis money forsaid principall, and threttie pundis money foirsaid as for the annuell thairof, contenit in the said contract, I hald me weill contentit, satisfiet and peyit, and thairof for me, my aires, executouris and assignais, exoneris, quyitcleames and simpliciter dischairges the said larde of Skelmourlie, his saidis cautioneris, thair aires, executouris and assignais, and ilk ane of thame, be thir presentis for euer: and quhilk dischairge abonewrittin I bind and obleis me and my foirsaidis to warrand to be gude and sufficient: And for the mair security, I am content and consentis thir presentis be insert and registrat in the buikis of counsall or burrow court buikis of Irwin to haue the strenthe of ilk ane or onie ane of thair decreittis, thairin to remaine ad futuram rei memoriam; and for that effect I constitut my procuratouris, in vberiori forma, etc. In witnes quhairof thir presentis, wrettin be Gilbert Garven, seruitour to Hew Garven, court clerk of Irwin, I hane subscryuit the samin with my hand as followis, at Kilmarnok, the tuentie thrie day of Maii, the zeir of God I^{M} VI^{c} twa zeiris, befoir thir witnesses, William Mur, and

William Mur my serwitouris, Gilbert Mvir in Craig, and Hew Powar, notar, wryttair of the daitt and witnesses heiroff.

WILLIAM MWRE of Rowallane.
JOHNE MURE.
WILLIAM MUIR, Witnes.
VILLIAM MUIR, vitnes.
HEW POWAR, notar, witnes.
GILBERT MVIR, witnes.

ACCOUNT of Expenses at Court, etc., 1603.

THE reset of the hell mony I resauit from my coming to Ingland, til my Lords coming to Sante Jamsis.

Resauit in the frist in Kingstoun, xx s.
Item, resauit in Hamtouncourt, l s.
Item, resauit in Outlands at my Lords going to Cotland, l s.
Item, resauit from Sir James Sandilands, xx lib.
Item, resauit from Jhon of Baldoran, xii lib.
Item, resauit from the Lady Glenteran, xxvii lib. xv s. vi d.
Item, send from Cotland to me, xvi lib. xvi d.

Sum, four scor of pundes and on and xvi s. x d.

Vpon Thursday, the ix of June, ane thousand sax hundereth thri yeires, in Newcastil.
Item, in the frist, gifin for ten quarteris of tefeni to be me ane skarf, iiii s.
Item, in York, for the mending of my coffer, vi d.
Item, for ane par of shouis, ii s. vi d.
Item, for the wysching of my chlos, xii d.
Item, for prines, xii d.
Item, for tou par of gloufes, v s.
Item, in Lester, to mak my quhyt setting goun, ten yardis of quhyt valting pasmentes, xx d.
Item, for thri yards of stenting and steifing, iii s.
Item, for ane par of balling sleiss, iiii s.
Item, for thrid, vi d.
Item, for clespes, iiii d.
Item, in Wondisour, for ane corldit wyr to ver on my haed, x s.
Item, for ane tyer of prell to ver on my haed, xxx s.
Item, in Outlandis, for sax yardis of lane, at siuene schilings the yard, sovm of the sax yards, xlii s.

Item, for ane dussone of yards of fyne lesing to put on my rufes, sax yardes of the sam at fourtie pennis the yard, and the oder sax yards at four schilings the yard, soum of the haell toulif yards, xliiii s.

Item, gifin to my Lady Harintows man, quhan sho sent me ane peticot, x s.

Item, for ane vyr to ver vith ane French rouf, v s.

Item, for thri vyrs to uer vith Inglich roufs, iii s.

Item, for ane hader spoungs, vi d.

Item, to my Lady Haringtous couch man quhen I com to Hamtoncourt, x s.

Item, to the botman for taking ouer the vatter, i s.

Item, to my Lady Treuers couch man quhen I com to Hamtoncourt, v s.

Item, to the botmen, i s.

Item, to my Lady Haringtouns couchman quhen I com to Kingstoun, v s.

Item, to the botman for taking me oup and doun the vatter, ii s.

Item, for ane par of quhallbon bodis, the on syd vith teffitie, and the oder syd with small canvos, xx s.

Item, for ane par of shous, xxx d.

Item, for ane par of shous to my page, xviii d.

Item, to ane voman in Outlands that suor that Robert Stouert vas owen hir so much moni, v s.

Item, for prins, v s.

Item, for tou par of gloufis, vi s.

Item, for toullif yards of brod ribens at sax penis the yard, soum of the twelue yards, vi s.

Item, for two par of shous to my pag, iii s.

Item, in Nonsuch, for ane par of welluit panttones xii s.

Item, for ane vardingell couerit vith teffetie, xx s.

Item, for tweleue yards of Cobub lane, at fourtine penniis the yard, swme of the heil, tweleue yards, xiiii s.

Item, for sax yards of tefenie to be two skrafis, at auchttine penies the yard, sume of the sax yardes, ix s.

Item, for ane quar of gillt peper, i s.

Item, for ane quar of piltane peper iiii d.

Item, for ane bottell vith ink, i s.

Item, for two chandellers, iiii s.

Item, for ane pane, ii s. vi d.

Item, for ane stop, ii s.

Item, for ane par belliscis, i s.

Item, for two drinkin glascis, on of christell, prys of the two glascis, iiii s.

Item, for ane chamber potte, xviii d.

Item, for two bisemis, vi d.

Item, to my Lady Killders foutman, x s.

Item, to my Lady Killders vagenman, for the caring of my sedell, v s.

Item, for tountifour yardes of brod rebanes of sindri coulleris, at sax pennis the yard, sum of the heall yards, xii s.

Item, for four par of glouſis, xii s.

Item, for sax par of coullorit dray ledder shoues, at xxx penis the par, sum of the sax par, xv s.

Item, for two par of shouis to my page, iii s.

Item, for ane par of boutis to my page v s.

Item, for four yardes of round camrik to be quaefis and croscloths, and hand courcheris, at four shilling the yard, sum of the four yards, xvi s.

Item, for ane wnce of coullors of sillk to truch my gouns, ii s. vi d.

Item, for quhyt and black thrid, xviii d.

Item, for small thrid to shoue my rufs, xii d.

Item, for drauing of thri quaefs and croscloths, iii s.

Item, for twa wnces of bllak sillk to shoue them, iiii s.

Item, for tweleue llesis to my goun, xii d.

Item, for ane dusson of sillk pyntis to my vardingell, ii s.

Item, for ane slikston, vi d.

Item, for nidles, vi d.

Item, for ane wnce of covllours of slleue sillk to vork ane purse, iii s.

Item, for twelue yards of brod knetings to be me night heirlesis, xii d.

Item, for ane sillk tyre to ver on my heade, x s.

Item, for ane plen pykit vyr, couerit vith heir, to ver on my head, x s.

Item, for ane par of sillk garttenis, iii s.

Item, for ane par of worsit schianks to my pag, iii s.

Item, for ane par garttenes to my pag, xx d.

Item, to my Lady Loumlis man quhan he broght me frut, v s.

Item, for the len of ane bed to Margrat Middeltoun sa long as ve var in Nonsuch, x s.

Item, gifin to James Dounkans man, quhen he broght my gouns from Vinchiester to Nonsuch, x s.

Item, gifin to my Lady Edmunts man quhen he broght me frut, v s.

Item, to Johne Michell, quhan my Lady Killderes vold not lat no boyes stay, becaus of the plag, x s.

Item, quhan ve com agen to Outlandis, gifin to James Dounkins man, quhan he broght me ane goun to Outlandis from Sallesberri, vii s.

Item, gifen to the man that kipit the Prences silluer vork, for lening me silluer work so long as ve var at the Prince Court, v s.

Item, gifin to the man that kipit the nepri, for lening me nepri, v s.
Item, gifen to James Leuingstoun quhan I send him to Court, xxx s.
Item, for four par of shoues, x s.
Item, for mending of my trounk and my coffer, ii s.
Item, for ane seting stik, i s.
Item, gifin to Jhon Michell to by him ane stand of cllothes, xii s.
Item, gifin for vyching of my cloths and my pag cloths from my comin to Ingland quhill Martimes, xx s.
Item, gifin to the man that gef me cols and temir to my chamber, ii s.
Item, for the len of ane par of schites to Margrat Middillton, so long as we var in Outlands, iii s.
Item, in Cumbe, for two nek lesis to my selff of blak get, iii s.
Item, for ane bybell, xii s.
Item, for ane French bouk, i s.
Item, for ane quar of gillt paper, i s.
Item, for ane quar of ongilt paper, iiii d.
Item, for pens, i s.
Item, for ink, vi d.
Item, for ane coup and ane spoun of silluer vying sax wync, at fyue schillings the wync, sum of the hell sax wync, xxx s.
Item, for the making of the coup and the spoun, ii s.
Item, for twellue vepin reings at fyue schillings the peis, sum of the hell, iii lib.
Item, for two reing, the on vith ane rubbi, and the other vith ane turkes; the on to the man that teichis me to dance, and the other to the man that teichis me to vret, the prys of the rubbi xx schillings, prys of the turkes, xxiiii schillings.
Item, four eir reings at fyuetin penis the peis, sum of the four, v s., and all thir reings vas gifin at Nevyeires day to my Lady Haringtouns vemen.
Item, gifin to my Lady Haringtouns officmen at Nevyeires day.
Item, gifin to the panttri men, x s.
Item, gifin to the buttri men, x s.
Item, gifin to the cukis, x s.
Item, gifin to the cllark of the kiching, x s.
Item, gifin to the ischewer of the Prences present, v s.
Item, to the ischewer of the hall, v s.
Item, to the portter, v s.
Item, for ane Inglich ruf I gef to Lady Ann Campbells voman, xxv s.
Item, for the making of ane dresing vith imoratis, and perll, and federis; the emoratis my auen, and gifin for the perll and federis, and making of the sam, xx s.

Item, for the making of ane dresing of perll, and garnetis, and federis, the perll and garnetis my auen, x s.

Item, for ane dresing of perll and grin sillk and federis xx s.

Item, for the making of ane treming to my goun, vith gret hornis of goulld and sillk federis, the hornis my auen, x s.

Item, for the making of ane treming to my goun vith small hornis of gould, and sillk, and federis, the hornes my aun, x s.

Item, for ane vyer to my haed vith nyne pykis, x s.

Item, for ane pereuyk of har to couer the vyr, v s.

Item, for four par of glouifs, x s.

Item, for sax par of shouis, xv s.

Item, gifin to ane pure Skotis man quhan all the rest gef him, v s.

Item, gifin to my Lady Haringtoun's foutman quhan he brocht me letters from Court, v s.

Item, gifin to ane pure man that had the plage, v s.

Item, for two par of shous to my pag, iii s.

Item, for ane stand of fustean clos to my pag vith all fournesin to them, xxi s. vi d.

Item, for ane par of stokins to my pag, iiii s.

Item, for ane par silk gerttens to my pag, ii s.

Item, gifin to Jhon Michell to by him ane stand of clos, xv s.

Item, for preins, v s.

Item, for sax lesis to les my gouns, i s.

Item, for two maak, v s.

Item, for ane hat of beyuer, vith ane fedder and ane string, lii s.

Item, for ane par of silk shankis, that I gef to on of my Lord Haringtoun's men quhan he troue me to his vallentyne, xxxvi s.

Item, for ane par of balling bodis couerit vith sattin of both the sydis and sleifs of plousch, l s.

Item, for ane vardingell oncouerit, v s.

Item, for ane dusson of sillk pyntis, ii s.

Item, for ane still glas, iii s.

Item, for two drinking glasis, ii s.

Item, for twelleu fadem of toues, i s.

Item, for ane par of sillk stokins to my slef, xxx s.

Item, for ane par of sillk gerttens to my slef, ii s.

Item, to the caryer for bringing me two gouns from court, v s.

Item, for ane quar of gillt peper, i s.

Item, for two quar of ongilt peper, viii d.

Item, for small threid, xii d.

Item, for bllak and quhyt thrid, i s.

Item, for two skins to lyn my masks, viiii d.
Item, for four par of night glouiss, iii s.
Item, for two fanis, on of peper and other of pargment, v s.
Item, for twellue yardis of cobub lan to my rufis, xii s.
Item, for thri yards of silluer sepyrs to my goun shoullders, iiii s. vi d.
Item, for fyue yards of teffeni to be me two skrefis, vii s. vi d.
Item, for fyue yardis of rund hollan to be me lyg sokis, too shilling the yard, prys of the fyue yards, x s.
Item for pens, i s.
Item, for too vyrs to Frenc rebatis, ii s.
Item, for four par of coullouerit shous to my self, at half a croun the par, x s.
Item, for too bustes to kip my dresins, ii s.
Item, for two yards and ane half of lan to be me ane comincloth, at seuen shilins the yard, prys of the hell, xvii s.
Item, for fyue yards of perllin to my comincloth, at twellue pens the yard, prys of the fyue yards, v s.
Item, for rid vaxe, ii s.
Item, for ane bellt to my pag, xviii d.
Item, for vyching of my cloth from Mertimes till Vitsunday, xx s.
Item, gifin to my Lord Heringtoun's garener for brining flouris to my chamber, ii s. vi d.
Item, for ane French Nou Testement, vith ane uder French bouk, vi s.
Item, for ane par of shouis to my pag, xviii d.
Item, for prines, ii s.
Item, for ane dresing of bugell, vii s.
Item, for ane grin carff, vii s.
Item, for two keisis of pyktouths, v s.
Item, for ane kes of scheris, v s.
Item, for xxiiii yardes of brod ribenes, xii s.
Item, for four par of gllouis, x s.
Item, gifin to a sat of phialonis when thy played at my chamber dor, xi s.
Item, for thri yardis of clloth to be my pag a stand of cloth, xv s.
Item, for bottonis, and pasmentis, and sillk, and lyningis to my pag clloths, x s.
Item, for ane yaird and a half of uelluet to be ane set to my futclloth, xxxiii s.
Item, for hallf ane wunc of sillk, and for the making of the set of the sedell, vi s.
Item, for thri yardes of round hollen to be me sokis, at hallf a croun the yard, soum of the thri yardes, vii s. vi d.
Item, gifin to my Lord Heringtoun seruentis when ve vent to Court, iii lib.
Item, for four par of shouis, x s.

Item, for the making of a par of whall bon bodis, and for whall bon, v s.
Item, for tow par of shouis to my pag, iiii s.
Item, for ane par of stokings to my pag, iii s. iiii d.
Item, for ane par of butis to my pag, iiii s.
Item, gifin to Jhon Michell, to be his expen[c]es when he vent vith my coffers when ve vent to Court, iiii s.
Item, for twelleue yards of ribens, v s.
Item, gifin to the kiperis man in Hampin court, when he broght me aplleis from his master, ii s. vi d.
Item, for thri torchis when ve vos at Court, xviii d.
Item, for prines, ii s. vi d.
Item, gifin to James Dounken's man, ii s. vi d.
Item, for ane Franch vyr to my hed vith ane hup of har, xv s.
Item, for four vyris to my rufis, iiii s.
Item, for twellue lessis to les my gounis, ii s.
Item, for tow eir ringis, vith ten rubeis to my self, xx s.
Item, for two par of gllouifs, vi s.
Item, for tow quar of gillt peper, and ane quar of on gillt paper, ii s.
Item, for small knetings, vi d.
Item, for tow hinging lokis, i s.
Item, for blak and whyt thrid, i s.
Item, for twelleu yards of lesing to my rufis, xii s.
Item, for tow yards of camrik to be me hand cowrches, viii s.
Item, gifin to John Michell when he com from Court vith my coffers, iiii s.
Item, gifin to ane set of vialons, as ve com from Court, when thy playit at my chamber. x s.
Item, gifin for ane ring with a puntit diamund, xxxx s.
Item, gifin to the potinger, xxx s.
Item, gifin for vyching of my cloths from Vhitsonday to Mertimes, xx s.
Item, gifin to a set of vialoris as I com from Coumbe, v s.
Item, gifin to Jhon Michel to com to Court, iii s.
Item, gifin for ane par of imbroderit gloufis, x s.
Sum of this hell count, four scor of pundis and sax and fyue schillings sax pennis.

RENUNCIATION by Hugh Lord Lowdoun to Hew fifth Earl of Eglyntoun, of the gift of the Earl's marriage, 14th August 1604.

BE it kend till all men be thir present letteris, me, Hew Lord of Lowdoun, haveing disponit to me, my airis and assignais, be vmquhile the richt honorabill Robert Maister of Eglyntoun, cessioner and assignay lauchfully constitute in and to the mariage of ane nobill and michtie lord, Hew Erle

of Eglyntoun, Lord Montgomerie, etc., and failzeing of him be deceis vnmariet, the mariage of ony vthir air or airis maill or femell that salhappin to succeid to him in his landis and heritages, as the principall gift grantit be our souerane Lord to vmquhile Johnne Lord of Thirlestane and Sir Thomas Lyoun of Aulbar, knycht, principall donatouris thairto, thaire assignatioun maid to the said vmquhile Robert Maister of Eglyntoun, and his dispositioun maid to me thairupoun at mair lenthe proportis, for certane sowmes of money to be peyit to me be the said nobill and mychtie lord, conforme to his obligatioun maid be him and certane vthiris his cawtiouneris to the effect eftirspecifyt, to hawe sauld, transferrit and disponit, and be the tennour heirof, sellis, transferris and dispones to the said nobill and mychtie lord, Hew Erle of Eglyntoun, his airis and assignais, all and haill the gift of the said Erles mariage . . . withe full libertie and power to the said Erle to marie and contract mariage with quhatsumeuir persone or persounes it sall pleis him, nochtwithstanding ony premonitioun or warning maid be me in my name, or be ony vtheris having my rycht of befoir, or in tyme cuming to be maid, ather with Elisoun or Jeane Campbellis my dochteris, or ony vtheris; and willis and grantis that be the said Erles mariage to be maid or contractit be him with ony vtheris honorabill persones quhome he best pleases, sall onnawyis impoirt ony commoditie or proffeit to me or my foirsaidis, ather for the singill or dowbill availl of his said mariage, nor that the said Erle sall incur ony skayth or danger of law thairby; bot now as then and then as now, renunces, quitclames and discharges the said Erle and his foirsaidis of all benefeit, actioun, entres, instance or clame quhilks I for me, my airis or assignais, had, hes, or onywayes may haif, clame, or pretend aganis the said Erle or his foirsaidis thairfoir . . . In witnes quhairof thir presentis, wreatin be George Campbell notar, I haif subscryuit the samin with my hand as followis, at the Sorne, the fourteinth day of August, the zeir of God I^{M} VI^{c} and four zeiris, befoir thir witness, Sir Robert M^{c}Clellane of Bombie, Knycht, Sir Johne Maxwell of Nethir Pollok, Knycht, Williame M^{c}Clellane of Nethir Keltoun, and Hew Dunbar, sone to the Laird of Enterkin.

JHONE MAXVELL of Nether Pollolk, kny^{t}, witnes. LOUDOUN.

BOMBYE, vitnes.

WILLIAME M^{c}CLELLANE, witnes.

HEW DUNBAR, witnes.

DISCHARGE by Johne Seytoun of Barnis, to Hugh fifth Earl of Eglingtoun, for 1435 merks. 28th November 1609.

206. BE it kend till all men be thir present lettres, me, Johne Seytoun of Barnis, with avyse and consent of ane nobill erle, George Erle of Wintoun, Lord Seytoun, Sir Williame Seytoun of Kylismure, Knycht, and Johne Cockburne of Clerkingtoun, my curatoris, for thair interess, that forsamekleas be contract and appointment maid, endit and perfytit betuix ane nobill and michtie erle, Hew Erle of Eglingtoun, Lord Montgomerie and Kilvynning, on the ane pairt, and me for my self, and takand the burding vpone me, in maner specifeit in the said contract

as principall, and certane my cautioneris, on the vther pairt, the said Hew Erle of Eglingtoun, as principal, Robert Mure of Cauldwall, James Dunlope of that Ilk, and James Mowat of Busbie as cautioneris, souerteis and full dettoris for him, band and oblist thame, coniunctlie and seueralie, to haue contentit and payit to me the soume of fourtene hundreth and threttie fyve merkis money of this realme of Scotland, vpone the tent day of November in this instant zeir of God I^{M} VI^{c} and nyne zeiris; and failzeing thairof, to content and pay to me the soume of twa hundreth merkis money foirsaid as for liquidat expenss, by and attoure the said principall soume, as the said contract of the dait at , the zeir of God I^{M} VI^{c} and nyne zeiris foirsaid at mair lenth beiris: And now seing that the said Hew Erle of Eglingtoun hes realie and with effect contentit, payit and delyverit to me the foirsaid principall soume of fourtene hundreth and threttie fyve merkis money abonewrittin, appointit to haif bene payit at the said tent day of November, the zeir of God foirsaid; quhairof I, with avyse of my curatoris foirsaidis for thair interess, hald me weill contentit and satisfiit: Thairfoir, witt ze me, with avyse and consent of my saidis curatoris for thair interess, to haue exonerit, quitclamit and dischairgit, and be the tennour heirof exoneris, quitclames and simpliciter dischairges the said Hew Erle of Eglingtoun and his cautioneris abonenominat, and ilk ane of thame, thair airis, successoris and executoris, of the said principall soume of fourtene hundreth and threttie fyve merkis, togidder with the said soume of twa hundreth merkis of liquidat expenss, for now and euir: quhilk acquittance and discharge abonewrittin, I, with avyse and consent foirsaid as principall, and the saidis George Erle of Wintoun, and Sir Williame Seytoun of Kylismure, Knycht, as cautioneris, souerteis and full dettouris for me, faithfullie bind and oblis ws, coniunctlie and seueralie, oure airis, successouris and executouris, to warrand, acquiet and defend to be guide, valide, effectuall and sufficient at all handis, and aganis all deidlie, as law will; and that I, my airis, executouris nor assigneyis, sall never cum in the contrair heirof, querrell nor impugne the samyn discharge directlie nor indirectlie, in iudgement nor outwith, in na tyme heirefter; bot sall dewlie and laufullie ratefie and appreve the samyn at quhat tyme and als oft as I and my foirsaidis salbe requyrit thairto: lyke as I, with consent of my saidis curatoris bind and oblis me, my airis, executouris and assigneyis, to warrand, freith, releif and skaythles keip the foirnamit personis, my cautioneris abonewrittin, of thair cautionrie abonementionat, and thair foirsaidis, and of all coist, skayth, dampnage, expenss and interes that thai or ony of thame may sustene or incur thairthrow be ony maner of way in tyme cuming: And for the mair securitie we, baith principall and cautioneris, ar content and consentis that thir presentis be insert and registrat in the buikis of counsall, and decernit to haif the strenth of ane act and decreit of the lordis thairof; that lettres and executoriallis may be direct heirvpone in forme as effeiris; and the horning to pas vpone ane simple charge of sex dayes allanerlie: and for registring heirof, constitutis oure procuratouris, promittentes de rato, etc. In witnes of the quhilk thing we, baith principall and cautioneris foirsaidis, haue subscryuit thir presentis with our handis (writtin be Johne Tuedie, seruitour to James Kynneir, wryttir) at the Cannoungait, the twentie aucht day of November, the zeir of God I^{M} VI^{c} and nyne zeiris, befoir thir witnesses,

Mr. James Seytoune, brother german to the laird of Touche, George Hammiltoun, seruitour to the said Erle of Wyntoun, Johnne Drummond, seruitour to the Erle of Perth, and Thomas Nevin of Monkridding.

JOHNE SETOWNE of Barnes.
WINTOUN, consenter and cationer.
W. SETOUN, consentar and cautionar.
Mr. JAMES SETOUN, Witnes.
G. HAMMILTOUN, Witnes.
J. DRUMMOND, Witnes.
T. NEVIN of Monkridding, Witnes.

DISCHARGE by Lady Margaret Montgomerie to Robert Craufurd of Possill, 14th March 1611.

207. BE it kend till all men be thir present lettres, me, Lady Margaret Montgomerie, for ane certane sowme of money, gude and vsuall of this realme of Scotland, payit and delyuerit to me be Robert Craufurd of Possill, quhairof I hald me weill content and payit in numerat monie, and dischargis him thairof, renunceand the exceptioun of nocht numerat monie, and all exceptionis of law in the contrair: Thairfoir, and for diuers otheris gude causis and considerationis moweing me herto, to haue maid, constitute and ordanit, lykeas I, be thir presentis, mak, constitute and ordane the said Robert Craufurd of Possill, his airis and assigneyis, my verie laufull, vndowbtit and irreuocabill cessioneris, assigneyis, donatouris and procuratouris in rem suam, in and to ane decrete obtenit be me befoir the Commissaris of Edinburgh, vpon the xxvi day of Julij, the zeire of God I.M VI.c and ten zeiris, aganes Hew Erle of Eglingtoun, decerning and ordaneing the said Hew to content and pay to me the sowme of fyve hundrethe pundis monie foirsaid, modifiet be the saidis Commissaris to me, per modum prouisionis, in the actioune of reduction and annullitie of the mareage persewit be me aganis the said Erle, and in and to the saidis Commissaris precept raisit thairvpon: And siclyke in and to ane vther decreit obtenit be me befoir the lordis of counsell and sessioun vpon the day of , the zeire of God I.M VI.c and zeiris, aganes the said Hew Erle of Eglingtoun, finding the letteris and chargis raisit be me aganis him for payment to me of the soume of monie abonespecifiet ordourlie proceidit, and decerning the samin to haue effect, and to be put to forder executioun, in all pointis conforme to the tennour thairof, nochtwithstanding of the ressouns of suspensioun raisit be the said Erle, quhairby he suspendit my saidis letteris and chargis to ane certane day bypast: And als decerning and ordaning the said Erle to content and pay to me the soume of ten pundis of expensis of pley and fourtie schillingis of collectour siluer, and in and to the foirsaidis sowmes of monie respectiue abone specifeit, and decreitis abonementionat, precept and lettrez of horning raisit thairanent, haill contentis and effectis thairof: Turneand and transferand fra me my airis, and all vtheris my assigneyis, to and in favouris of the said Robert Craufurd and his foirsaidis, all rycht, title of rycht, clame, interes, quhilkis I or my foirsaidis haue, had, hes, or onie wayis may haue, clame, or pretend in and to the foirsaidis decreitis, preceptis, letteris and soumes of monie

respectiue abone specifeit, or of onie of thame: Surrogatand and substituand him and his foirsaidis in my full rycht, title, and place thairoff: withe full power to the said Robert Craufurd and his foirsaidis to ask, craue, resaue, intromet with, and vptak the foirsaidis soumes of monie respectiue abone mentionat, contenit in ather of the saidis twa decreitis abonementionat, fra the said Erle; and to rais letteris and sute execution aganis him thairfoir, ather at my instance as cedent, or his awin as assignay abonenamit; call, follow and persew him thairfoir, gif neid beis; decreitis and sentencis to obtene thairvpone, and to caus put the samen to dew executioun; acquittancis also and dischargis to giue thairvpone, quhilk sal be als sufficient to the ressaueris thairof as gif the samen wer gewin and subscriuit be me: and this my lettre of assignatioune I obleis me to warrand to the said Robert and his foirsaidis fra my awin proper fact and ded allanerlie; that is, that I haue done nor sall do nathing in hurt and preiudice of the premisses; consenting thir presentis be registrait in the buikis of counsell: and for registring heirof constitutis my procuratouris, promittentes de rato, etc. In witnes quhairof (wrettin be James Robesoune, seruitour to Johne Kincaid, writter) I haue subscriuit thir presentis with my hand, at Edinburgh, the fourteint day of Marche, the zere of God I^{M} VI^{c} and ellewin zeris, befoir thir witnesses, Hew Lord of Lowdoun, Dauid Dunbar of Daldork, and Mr. Androw Dalrymple, my seruitour.

MARGARET MONTGOMERY.
LOUDOUN, witnes.
DAUID DUNBAR of Daldork, witnes.
ANDRO DALRYMPLE, witnes.

CONTRACT of MARRIAGE between Lady Anna Levingstoune and Sir Alexander Seytoune of Foulstrother, Knight, afterwards sixth Earl of Eglinton, 6th June 1612.

18. AT Edinburgh, the saxt day of Junij, the zeir of God one thowsand sex hunder and tuell zeiris; It is contractit, concordet, finalie agreit and endit, betuix ane noble and michtie Erle, Alexander Erle of Linlithgow, Lord Levingstoune, etc., for himself, and taking the burdene vpoune him for Ladie Anna Levingstoune, ladie of Hir Majesteis most honorabill bedchalmer, his eldest lauchfull dochter, and the said Ladie Anna, with speciall avyse and consent of hir said father, on the ane pairt, and the Richt Honorabill Sir Alexander Seytoune of Foulstrother, Knycht, sonne lauchfull to vmquhill Robert Erle of Wintoune, Lord Seytoune, etc., with consent and assent of ane noble and michtie erle, George Erle of Wintoune, Lord Seytoune, his brother germane, and of ane noble and michtie countess, Dame Margaret Montgumrie Countess of Wintoune thair mother, and alse the said Dame Margaret, for all lyfrent rycht or vther rycht quhatsumever scho hes or may pretend to the landis efter mentionat, with the pertinentis, vpoune the vther pairt, in maner, forme and effect, as followes: That is to say, the said Sir Alexander and Ladie Anna Levingstoune, with express avyse and consent foirsaid, hes taken, and be thir presentes takes, ilk ane vther to thair lauchfull mareit spousses, and sall solemnize the halie band of matrimonie togidder in face of halie kirk, betuix the day and dait hereof and the day of nixt to

cum, in this instant zeir of God ane thowsand sex hunder and tuell zeiris: In contemplatioune of the quhilk mariege the said Sir Alexander binds and oblisses him, his aires and assignayeis quhatsumevir, with consent and assent of the said Dame Margaret Montgumrie, his mother, to resigne all and haill the temple lands of Cheinziekirk [Saint Germanes and others], in the handis of the said Sir Alexander his immediat superiors thairof respective, for new heritabill infeftment to be maid thairof be his saidis superioris respective to him self and the said Ladie Anna, his futur spous, the langest levar of thame twa in conjunctfie, and to the aires maill lauchfullie procreat, or to be procreat betuix thame; quhilkis failzeing, to the aires maill lauchfullie to be procreat of the bodie of the said Sir Alexander; quhilks failzeing, to Thomas Seytoune his brother germane, and the aires maill lauchfullie to be procreat of his bodie; quhilks failzeing, to Johne Seytoune and the aires maill to be lauchfullie procreat of his bodie; quhilks failzeing, to George Erle of Wintoune his aires maill and assignayeis quhatsumevir, bruiking the armes and surname of Seytoune, to be hauldin, etc. It is lykwayes provyddet, be speciall provisioune of this present contract, that gif it sall happin the said Sir Alexander and Ladie Anna Levingstoune, his futur spous, and the haill bairnes to be lauchfullie procreat of thair bodeis to deceiss this lyf befor the said Dame Margaret Montgumrie, his mother, in that caice the said Dame Margarat sall haue frie regress and ingress in and to the haill landis and vtheres forsaidis, quhairin scho is infeft in lyfrent, befor the making of thir presents, with the haill teinds thairof, quhairof scho had rycht; to be bruiket, joyset, possessit be hir siclyk and alse frilie in all respectes, as gif scho had neuer consentit to the resignatioune and vtheres rychtes of the saidis teindis aboune expremit: And siclyk, becaus the said Hew Erle of Eglintoune hes laitlie tailzeit the haill landis, leving and erldome of Eglintoune, as the samen ar now vnited and incorporat, to the aires maill to be lawchfullie procreat of his awin bodie; quhilks failzeing, to the said Sir Alexander and the aires maill to be lauchfullie procreat of his bodie; quhilks failzeing, to certanne vtheres aires of tailzie specifeit in the infeftment grantit thairvpoune; and hes woodset also the said erldome, haill landis and leving thairof, to the said Dame Margarat in lyfrent, during all the daiyes of hir lyftyme, and to the said Sir Alexander his aires maill and of tailzie abone mentionat, specifeit in the contractes maid betuix thame thairannent, redimable onlie be the aires maill to be lauchfullie procreat of his awin bodie be payment of the soumes of money contenit in the saidis contractes, the said Sir Alexander vpoune speciall regaird he hes to the said Ladie Anna, his futur spous, faithfullie promittes, binds and oblissis him and his forsaids, that gif it sall pleis God that he succeid to the said erldome, ather be ressoune of the said tailzie, woodset, or vtherwayes, in that caice to infeft and seass the said Ladie Anna, in lyfrent, of hir pairt and portioune of the said landis and leving, as sall be correspondent to hir estait, mereit, valour, birth, place and woorth: it is lykwayes agreit, be speciall conditioune of this present contract, that gif thair be onlie aires femell procreat betuix the said Sir Alexander and Ladie Anna, his futur spous, in that caice, gif thair be bot ane, scho sall be provydet to the soume of threttie thowsand merkis for hir tocherguid; and gif thair be tua dochteres, the eldest sall haue tuentie thowsand merks, and the zoungest ten thowsand merkis; gif thair be thrie, the eldest to haue the soume of ten thowsand pund, and

the soume of vther ten thowsand pund to be equalie devyddet betuix the tua zoungest; and gif thair be ma nor thrie, the eldest to haue the soume of ten thowsand pund, and the superplus of the said threttie thowsand merks to be equalie devyddet amonge the rest: and becaus the aires of tailzie abonewrettin mane furnisch the saidis soumes to the saidis aires femell, and that thair is nothing quhairvpoune the same may be furnishet, saiffin the said Sir Alexander his awin propper landis, and the fourtie thowsand merkis imployet, as said is; and in respect it may pleis God to call the said Sir Alexander of this mortall lyf befor the said Ladie Anna, his spous, be occasoune quhairof the lands now perteining to the said Sir Alexander, and the said fourtie thowsand merks will properlie perteine to the said Ladie Anna in lyfrent, quhairthrow it will be impossible to the saidis aires of tailzie to tocher the saidis dochteres, as said is, during thair said mothere's lyftyme; it is thairfor provydet that, gif thair be onlie aires femell procreat betuix the said Sir Alexander and his futur spous (the said Ladie Anna survivand), the saids aires femell sall be intertenit and brocht up with hir and vpoune hir awin expenssis unto sic tyme as it sall pleis God provid thame marieges; at quhilk tyme thay sall be provyddet of thair tochers of the reddiest of the said soume of fourtie thowsand merkis abonecontenit in maner abone expremit; with this provisioune alwayes, that gif it sall pleis God the said Sir Alexander, or the vtheres aires of tailzie abone expremit, succeid to the said erldome of Eglintoune, and be enteret in possessioune of the same, the saidis aires femell, gif thair be bot ane, sall be provyddet to the soume of threttie thowsand merkis; and gif thair be tua, ilk ane of thame twantie thowsand merks; gif thair be thrie, ilk ane of thame fyiftene thowsand merks; and gif thair be ma, the eldest to haue the soume of fyiftene thousand merks, and the rest to haue the soume of threttie thousand merks equalie devyddet amange thame; and sufficient secureteis to be maid to thame thairvpoune for payment to thame thairof at thair perfyt aige of tuell zeires compleit, gif thay be not provyddet to mariedges in his awin tyme: For the quhilkes causses the said noble and michtie erle, Alexander Erle of Linlithgow, Lord Levingstoune, hes instantlie payet and deliueret to the said Sir Alexander all and haill the soume of threttie thowsand merkis vsuall money forsaid, in name of dott and tocherguid with the said Ladie Anna Levingstoune, his dochter; quhairof the saidis Sir Alexander and Ladie Anna grant thame weill content and satisfeit, and for thame, thair aires, executors and assignayeis, renuncand the exceptioune of non-numerat money, and all vther exceptioune that may be propounit in the contrair, exoner, quietclame and discharge the said noble and michtie erle, Alexander Erle of Linlithgow, his aires, executors and assignayeis thairof for now and ever: quhilk dott and tocherguid the said Ladie Anna and hir said futur spous, with ane consent and assent, hes acceptit, and be the tenour heirof acceptes, in full and compleit payment of all bairnes pairt of geir, portioune naturall, or vtheres guids and geir quhatsumever quhilk scho may ask or crave, ather as ane of the lauchfull bairnes of the said noble and michtie Erle, be deceiss of his said father, or be the deceiss of the rycht noble and michtie countess, Dame Helinor Hay, Countess of Linlithgow, hir mother, or of quhatsumever rycht, etc.; and of the compleit payment of hir said tocherguid, in maner abone wrettin, the said Ladie Anna, being

now of hir perfyt aige of tuentie ane zeires compleit, grantes and confesses the said annuelrent to be lauchfullie outquet and redemit be hir said father fra hir and hir forsaids, etc. Last of all, it is speciallie agreit betuix all the saids pairteis, that gif it sall pleis God to call the said Ladie Anna of this mortall lyf, within zeir and day nixt efter the solemnizatioune of the said mariege, without bairne or bairnes lauchfullie gottin betuix thame, in that caice the said tocherguid of threttie thowsand merks sall returne to the said Alexander Erle of Linlithgow, and his aires maill allanerlie, but onie questioune to be maid to thame thairannent; in the quhilk caice also, the said Sir Alexander bindis and oblissis him and his forsaidis to mak full and compleit payment thairof to the said noble Erle, and his forsaidis, howsounne thay sall be lauchfullie requiret thairto; and for the mair securetie, baith the saidis pairteis ar content and consentis that thir presentis be insert and registrat in the buikis of counsill, etc.: In witnes of the quhilk thing baith the saids pairteis have subscrivit thir presents (writtin be Mr. James Inglis servitour to Mr. Johne Paip, wrytter to our souerane lord's signet) with thair hands, day, zeir and place forsaid, befor thir witnesses, Alexander Lord Elphingstoune, Sir William Livingstoune of Kilsyth, Knicht, ane of the Senatoures of the Collige of Justice, Sir William Seytoune of Kylismuir, Knicht, Sir Johne Buchannan of that Ilk, Knicht, Sir Williame Livingstoune zounger of Dernchester, Knicht, Mr. Thomas Hoip and Mr. Laurence Makgill, advocats, and the said Mr. Jone Paip, inserter of the saidis dait and witnesses.

ELPHINSTON, witnes.
KILSAYTH, vitnes.
W. LEUINGSTON, vitnes.
W. SETOUN, witness.
J. BUCHANAN of that Ilk.
THOMAS HOIP, witness.
Mr. LAURENS MAKGILL, witness.

DISCHARGE by Hew Lord Lowdoun to Alexander sixth Earl of Elgintoun, for 20,000 merks Scots, 10th June 1614.

9. I, HEW LORD LOWDOUN, be the tenour heirof grant me to have ressauit reallie and with effect fra the handis of ane nobill and potent Lord, Alexander Montgomerie, Erle of Eglintoun, Lord Montgomerie, etc., all and haill the sowme of tuentie thowsand markis money of this realme of Scotland; and that as for the first termes payment of the sowme of fourtie thousand markis, and in pairt of payment of the samin, contenit in ane band and obligatioun maid to me be the said nobill Erle as principall, George Erle of Wintoun, James Erle of Abercorne, Dame Margaret Montgomerie, Countess of Wintoun, Sir Williame Setoun of Kylismure, Knycht, Schir Claud Hammiltoun of Schawfeild, Knycht, and William Dick, merchand burges of Edinburgh, as cautioneris, soverteis and full dettouris for him, of the dait, at Edinburgh, the fyift day of Junij, the zeir of God I^{M} VI^{c} and thretteine zeiris: off the quhilk sowme of tuentie thousand markis money foirsaid, ressauit be me in maner abonewrittin as for the first termeis payment of the said sowme of fourtie thousand markis money, and in pairt of payment of the samin, appointit to be payit and deliuerit to me betuix the dait of the said band and the feist and terme of Witsonday nixt tocum, in this instant zeir of God I^{M} VI^{c} and fourteine zeiris, I hald me weill content, satisfeit, and payit; and for me, my airis, alsweill of lyne as maill, tailze, provisioun, conqueis, successouris, executouris, and assignayis quhatsumevir, exoneris and discharges the said nobill lord, Alexander Montgomerie Erle of Eglintoun, etc., and his haill cautioneris abonewrittin, thair airis, executouris and assignayis quhatsumevir, of the samin sowme of tuentie thousand markis money ressavit be me in maner abone specifeit, in pairt of payment of the said sowme of fourtie thowsand markis money foirsaid, and as for the said first termes payment thairof, specifeit in the said band, for now and evir be thir presentis: And for the mair securitie heirof, I am content and consentis for me and my foirsaid that thir presentis be insert and registrat in the buikis of our Soverane Lordis Counsall and Sessioun, ad perpetuam rei memoriam; that lettres and executoriallis may be direct heirvpone in forme as effeiris: And for registrating heiroff constitutis my procuratouris, coniunctlie and severallie, etc., promittentes de rato, etc. In witnes quhairof this my acquittance, writtin be Mr. Andro Dalrymple, notar, I have subscryvit the samin with my hand, at Lowdoun, the tent day of Junii, the zeir of God I^{M} VI^{c} and fourteine zeiris, befoir thir witnesses, Dauid Dunbar of Entirkin, Archibald Dunbar, his brother, my seruitour, Mr. George Walker, minister at Auchinlek, the said Mr. Andro Dalrympill.

LOUDOUN.
DAUID DUNBAR of Entirkin, witness.
ARCHEBALD DUNBAR, witnes.
Mr. GEORGE WALKER, witnes.
Mr. ANDRO DALRYMPLE, witnes.

Grain and Money Accounts of the baronies of Eglishame and Eistwoid for the years 1616 and 1617.

210. The compt of charge and discharge of the ferme meill and beir of the barony of Eglishame, and of the aitis payit out of the Maines thair, the crop and zeir of God I^M sex hundretht sextene zeir, and of the Witsonday and Mertimes maillis and vther dewteis of the said barony, I^M sex hundretht sevintene zeir; and of the money ressauit fra the tennentis of the said barony of thair entres siluer: as also with the ferme meill and beir of the landis and barony of Eistwoid, the crop and zeir of God I^M sex hundretht sextene zeir; and siluer maill and vther dewteis thairof, I^M sex hundretht sevintene zeir, ressauit be Robert Scales, factour of the saidis landis; togidder with the money quhilk he restit awand at the fute of his last compt, as the charge and discharge following beiris, maid and gevin vp be the said Robert Scales.

Charge of ferme meill in Eglishame, 1616.

The compter charges him with all the ferme meill of the said barony of Eglishame, the said zeiris crop, I^M sex hundretht and sextene zeir, as my Lordis rentale buik of the said barony and comptis preceding beiris; extending to . . . . . xix^xx iiij bollis meill.

Discharge thairof, the said crop 1616.

The compter discharges him with the ferme meill of the xii s. vi d. land in Nather Bordland, occupeit be Hew Montgomerie of Auchinhuid, and restane in his hand, conforme to ane apoyntment past betuix my Lord and him; quhilk is . . . . . xiii bollis, ij firlotis.

With the meill gevin to Johnne Dunlop in Feall, quhilk is . . xx bollis.

To the compter, for his pensioun . . . . . xxxij bollis.

Send west to my Lordis hous in Eglintoun, the 21 day of October 1617 . . . . . x bollis.

And to my Lordis hous in Glasgw, quhen his Maiestie wes thair . ij firlotis.

To the puir folk, at my Laideis command . . . . . ij bollis.

To William Montgomerie, sone to vmquhile Johnne Montgomerie in Greinefeild, at my Ladeis command . . . . . ij firlotis.

And to Jonet Montgomerie, spous to William Findlay, at my Ladeis command . . . . . ij firlotis.

To my Lordis hors, sen the 6 day of Junij 1616, to the 30 day of November 1617 . . . . . i boll, ij peckis.

Allowit to the compter for his factour fie . . . . . xix bollis, i firlot.

Summa of discharge of meill, 1616.

lxxxxix bollis, i firlot, ij peckis.

The charge is . . xix^xx iiij bollis meill.

And swa restis . . xiiij^{xx} iiij bollis, ij firlotis, ij peckis.
Quhairof sauld at iiij lib. xiii s. iiij d. the boll, xxxviii bollis.
Inde . . . . i^{c} lxxvij lib. vi s. viij d.
And for v lib. vi s. viii d. the boll, xii^{xx} vi bollis, ij firlotis, ij peckis.
Inde . . . . i^{m} iii^{c} xv lib. vi s. viii d.
Summa of the haill money for sauld meill —
i^{m} iiij^{c} lxxxxij lib. xiii s. iiij d.

Charge of ferme beir in Eglishame, 1616.

The compter charges him with all the ferme beir of the said barony of Eglishame, the said zeiris crop, I^{M} sex hundreth and sextene zeir, as the rentale buik of the said barony and comptis preceding beiris; extending to . . . . . lxxxvi bollis, ii peckis.

Discharge thairof, 1616.

The compter discharges him with the ferme beir of the xii s. vi d. land in Nather Bordlandis, occupeit be Hew Montgomerie of Auchinhuid, the said zeir 1616, and restane in his hand, conforme to ane apoyntment past betuix my Lord and him; extending to . . . i boll, ii firlotis.
Allowit to Johnne Dunlop, in his Feall, his ferme beir for his pairt of the landis of Bonytoun, the said crop 1616; quhilk is . . . iii bollis.
Allowit to the compter for his factour fie . . . . . iiij bollis, i firlot.

Summa of discharge of beir, 1616.

viii bollis, iij firlotis.
The charge is . . . lxxxvi bollis, ij peckis.
And swa restis . . . lxxvii bollis, i firlot, ij peckis.
Sould at vii lib. vi s. viii d. the boll. Inde v^{c} lxvii lib. viii s. iiij d.

Charge of aitis, 1616.

The compter charges him with the aitis payit out of the Maines of Polnwne, the said zeir 1616; quhilk is zeirlie . . . . xxviii bollis.
And with the aitis quhilk restit one the compter at the fute of his last compt of aitis, of the crop 1615 . . . . . i boll, i firlot, i peck.
Summa, . . . xxix bollis, i firlot, i peck.

Discharge thairof.

The compter discharges him with the aitis tane vp be Johnne Dunlop, younger, to my Lord, my Ladeis and gentilmenis hors, at thair being in Eglishame, in Johnne Dunlopis hous, befoir thair ryding west to Irwin, in October 1616 . . . . . iiij bollis, iij firlotis.

Mair, at my Lord and my Ladeis cuming bak agane to Polnwne in the same monethe, ressauit be William Buntene fra Johnne Harbie in Maines . . . . . iiij bollis.

Mair ressauit be Johnne Dunlop, zounger, to gif my Lordis blak staig, at sindrie tymes . . . . . i firlot.

With the aitis spendit in feiding sex geis, the space of sevin oulkis and mair, and send to my Lordis hous in Edinbrucht, at the Kingis Maiesteis being thair in Junij 1617 . . . . . ii bollis, i firlot.

To my Lordis hors in Apryle 1617, at his Lordships being in Eglishame, ressauit be Johnne Dunlop, zounger . . . . . iii bollis, i firlot.

To Johnne Dunlop, for his hors corne . . . . . viii bollis.

To the compter, for his hors corne . . . . . viii bollis.

With the aitis sawin in Alexander Zoungis pairt in Ardoche . . . ij peckis.

To ane kow in Eglishame, that brak her leg, of my Ladeis . . . ij peckis.

Summa of Discharge of aittis . . xxx bollis, iij firlotis.

The charge is . . . . xxix bollis, i firlot, i peck.

And swa the compter restis superexpendit i boll, i firlot, iii peckis.

Charge of buttir in Eglishame, 1617.

The compter charges him with all the kane buttir payit in the said barony of Eglishame, the said zeir of God I.M sex hundreth sevintene zeiris, as the rentale buik of the said barony and comptis preceding beiris; quhilk, with the raissit buttir in Blakwoidhill, extendis to . xxxviii stane, viii pund.

And with the wintir buttir contenit in the said rentale buik . . v stane, viii pund.

Mair, charges him with the buttir payit out of the Grenefeild, the said zeir 1617; quhilk is . . . . . xl stane.

Summa of this charge of buttir, 1617, is . lxxxiiii stanes.

Discharge of buttir, 1617.

The compter discharges him with the buttir send to Edinbrucht to my Lordis hous thair, the 6 of Junij 1617 . . . . . x stane, vi pund.

The 19 of August 1617, send to Setoun, at my Lordis command, of buttir fyftie stane and twa pund; quhairof wes of bocht buttir viii stane iii pund; and of my Lordis awin buttir . . . . xli stane, xiiii pund.

Discharges him with the raissit buttir in Blakwoidhill, quhilk hes never bene in vse of payment, quhairwith the compter is chargit; quhilk is vi stane.

To my Lordis house in Glasgw, the Kingis Maiestie being thair, . . xv pund.

Send west to Eglintoun of wintir buttir . . . . . ii stane iii quarteris.

Summa of Discharge . . . . lxi stane, xv pund.

The charge is . . . . . lxxxiiii stane.
And swa restis . . . . . xxii stane, i pund;
sauld at liii s. iiij d. money; of this ij stane
iij quarteris sauld at iij lib. iiij s.—inde . lx lib. vi s.

Charge of kane cheis, 1617.

The compter charges him with all the kane cheis payit in the said barony of Eglishame, the said zeir I^M sex hundreth and sevintene zeir, as my Lordis rentale buik and comptis preceding beiris; extending to lxv stane cheis.
Quhilk wes all sauld the said zeir to the tennentis for xx s. the stane, extending in money to . . . . . lxv lib.

Charge of kane stirkis, 1617.

The compter charges him with all the kane stirkis payit in the said barony of Eglishame, the said zeir I^M sex hundreth sevintene zeir, as the rentale buik of the said barony and comptis preceding beiris; extending to . . . . . vii stirkis.
Quhilk wer all ressauit in fra the tennentis, and send west, at my Ladeis command, to Eglintoun; and sua the compt of charge and discharge is equal . . . . . Equal.

Charge of mert scheip, 1617.

The compter charges him with all the mert scheip payit in the said barony of Eglishame, the said zeir I^M sex hundreth sevintene zeir, as the said rentale buik and comptis preceding beiris; extending to . . . xlvi scheip.

Discharge thairof, the said zeir 1617.

The compter discharges him with the mert scheip send west, at my Ladeis command, to James Mitchell; quhilk wer . . . . . xxxi scheip.
Allowit to Johnne Dunlop in his feall his mert scheip for his pairt of the landis of Bonytoun, the said zeir 1617; quhilk is . . . . i scheip and a half.
Summa of discharge of mert scheip, . xxxii scheip and ane half.
And swa restis, ... xiii scheip and ane half;
Sauld at liii s. iiii. d.—inde . . . xxxvi lib.

Charge of geis, 1617.

The compter charges him with all the geis payit in the said barony of Eglishame, the said zeir I^M sex hundreth sevintene zeir, as the said rentale buik and comptis preceding beiris; extending to . . . xii dusane vi geis.

Discharge of geis, 1617.

The compter discharges him with the geis send west to my Lordis hous in Eglintoun, the said zeir 1617, quhilk wes . . . . . ii dusane x geis.

Discharges him with the geis of the xvi s. viii d. land in Park, occupeit be Hew Montgomerie of Auchinhuid, the said zeir 1617, restane in his hand be apoyntment past betuix my Lord and him, quhilk is . . vi geis.

Summa of discharge of geis . . . iii dusane iiii geis.

And swa restis . . . . . ix dusane ii geis:

Sauld at x s. the pece—inde . . . . lv lib.

Charge of capounes, 1617.

The compter charges him with the capounes payit out of the twa mylnes in Eglishame, the said zeir I^M sex hundreth and sevintene zeir, extending to ii dusane capounes.

Discharge thairof.

Send eist to my Lordis hous in Edinbrucht, in Junij 1617 . . i dusane.

And swa restis, i dusane; sauld at vi s. viii d. the pece—inde . . iiii lib.

Charge of hair teddiris, 1617.

The compter charges him with the hair teddiris payit in the said barony the said zeir I^M sex hundreth sevintene, as the said rentale buik and comptis preceding beiris; extending to . . . . . xviii teddiris.

Discharge thairof.

To my Lordis hors at the gers in Polnwne, in simmir 1617 . . vii teddiris.

Detenit be William Mwre of Glandirstoun, the teddiris payit out of South Murhous, alledgit dischargit to him, duiring his lyftyme, be my vmquhille Lord, quhilk is . . . . . ii teddiris.

Summa of discharge of teddiris, ix, and swa restis, ix teddiris;

sauld at iiii s. the pece—inde . . . . . xxxvi schillingis.

Charge of flokis, 1617.

The compter charges him with the flokis payit out of the Walkmyln in Eglishame, the said zeir 1617, quhilk is zeirlie . . . . ii stane flokis.

Restand in the tennentis handis.

The charge of the landis and barony of Eistwoid.

Charge of ferme meill thairof, the crop 1616.

The compter charges him with the ferme meill of the lands and barony of Eistwoid, the crop and zeir of God I^M sex hundreth and sextene zeir, as the charge of comptis preceding beiris; extending to . . xii^xx bollis, ii firlotis, ix pecks.

Discharge of meill in Eistwoid, crop 1616.

The compter discharges him with the ferme meill of Henreis croft, possest be Neill Montgomerie, and the dewtie thairof, intromettit with be the said Neill, quhairwith the compter is chargit; quhilk is . xii bollis.

To Gabriell Montgomerie for his fosterfie of the woid of Eistwoid, 1616, vi bollis.

To Johnne Wallace in Ortiszaird, for theiking the thak housses in Eistwoid . . . . . i boll.

To twa puir wemen in Eistwoid, the ane blind, the vther lippir . ii firlotis.

To Walter Cwnynghame, messsinger, for vsing charges aganes the tennentis in Eglishame and Eistwoid, at sindrie tymes sen the 16 of Merche 1617 . . . . . ii bollis.

Summa of discharge of meill, 1616 — xxi bollis, ii firlotis.

The charge is . . . . xii^{xx} bollis, ii firlotis, i peck;

And swa restis . . . . x^{xx} xix bollis, i peck,

quhairof sauld at v lib. xvi s. viii — inde . . . i^{m} ii^{c} lxxvii lib. xvii s. iii d.

Charge of ferme beir in Eistwoid, crop 1616.

The compter charges him with the ferme beir of the landis and barony of Eistwoid, the crop and zeir of God I^{M} sex hundreth and sextene zeir, as the charge of comptis thairof for zeiris preceding beiris; extending to . . . . . xxxiiii bollis beir.

Discharge of beir in Eistwoid, crop 1616.

The compter discharges him with the ferme beir of Henreis croft, possest be Neill Montgomerie, and the dewtie thairof, intromettit with be the said Neill, quhairwith the compter is chargit; quhilk is . . ii bollis beir.

The charge is . . . . . xxxiiii bollis.

And swa restis . . . . . xxxii bollis;

sauld at vii lib. vi s. viii d. the boll — inde . . . ii^{c} xxxiiii lib. xiii s. iiii d.

Charge of caponis, 1616 . . . . v dosane.

Discharge thairof —

Send to Edinburgh, to my Lordis hous thair, in Junij 1617 . . i dosane ii caponis.

Send to Glasgw, to my Lordis hous thair, in Julij 1617 . . . i dosane xi caponis.

Gevin in to my Lordis hous in Polnone, in October 1616 . . vi caponis.

Summa of discharge of caponis, 1616 — iij dosane vii caponis.

The charge is . . . . . v dosane.

And swa restis . . . . . i dosane v caponis;

sauld at vi s. viii d. the pece — inde . . . . . v lib. xiii s. iiii d.

Mair, charges him with the siluer maill payit out of the Grenefeild, the said zeir I^{M} sex hundreth sevintene; quhilk is . . . . . xx lib.
And with the maill of Chapelland in Nather Craig, 1617 . . . xiii s. iiii d.
And with Johnne Dunlopis few maill of the Mylnland, 1617 . . x s.
With the money ressauit fra Johnne Michell, at Mertimes 1617 . ii^{m} i lib. iiii s.
With the money ressauit fra William Steinstoun, the same tyme . i^{m} vii^{c} xxxiii lib. vi s. viii d.
With the money ressauit fra George Huchesoun in Glasgw, the xx day of Julij 1618 . . . . . vi^{c} v lib. ix s.

Mair, the compter charges him with the money ressauit fra the tennentis in Eglishame, restane vnpayit of the first half of thair entres siluer, ressauit sen the thrie last comptis maid thairof, as particularlie followis; —

In the first, fra Alexander Wallace for Johnne Donald in Ardocht, in compleit payment of the first half of his entres siluer for iii s. viii d. 2 parts penny land in Ardocht . . . . . xl lib.
Fra Alexander Zoung thair to ane compt of his haill entres siluer for xi s. i d. 3 parts penny land in Ardoche . . . . . i^{c} xxxiii lib. vi s. viii d.
Fra William Kirkland in Over Hairschaw, to ane compt of the first half of his entres siluer for x s. land in Overtoun . . . . . lxvi lib.
Fra Johnne Zoung in Nather Enocht, for Andro and Alexander Zoungis, his sones, in compleit payment of the first half of the entres siluer for xvi s. viii d. land in Park, and xiii s. iiij d. land in Nather Enocht, by 204 : 3 : 4, chargit with in comptis befoir . . . . . xlv lib. xvi s. viii d.
Fra Johnne Faullis in Nather Rivocht, in compleit payment of the first half of his entres siluer for x s. land in Nather Rivocht, by 58 : 13 : 4, chargit with in the comptis befoir . . . . . lxxiiii lib. xiii s. iiii d.
Fra Johnne Zoung in Ouer Rivocht, in compleit payment of the first half of his entres siluer for v s. vi d. 2 parts penny land in Ouir Rivocht, by 33 : 6 : 8, chargit in the comptis befoir . . . . xvi lib. xiii s. iiii d.
Fra Mathow Clyde in Hiecraig, for Robert Clyde, his sone, in compleit payment of the first half of his entres siluer for v s. land in Hiecraig, by 50 : 13 : 4, chargit in the comptis befoir . . . . . xvi lib.
Fra Johnne Zoung in Blakwoid, in compleit payment of 120 : 0 : 0 for the first half of his entres siluer for xv s. land in Blakwoid, by 96 : 8 : 3, chargit in the comptis befoir . . . . . xxiii lib. xi s. ix d.
Fra Johnne Howie in Grenefeild, in compleit payment of the first half of his entres siluer for xvi s. viii d. land in Grenefeild, by 160 : 0 : 0, chargit in the comptis befoir . . . . . vi lib. xiii s. iiij d.

Fra Mathow Zoung, elder, in Litill Bennen, to ane compt of the first half of his entres siluer for viii s. iiii d. land in Litill Bennen, by 66 : 13 : 4, chargit in the comptis befoir . . . . . xx lib.

Fra Johnne Watsone in Bonytoun, in compleit payment of the first half of his entres siluer for xiii s. iiii d. land in Bonytoun, by 69 : 6 : 8, chargit in the comptis befoir . . . . . xiiii lib.

Charge of money for entres.

Fra Johnne Blak in North Brakenrig, in compleit payment of the first half of his entres siluer for vi s. viii d. land in North Brakenrig, by 42 : 13 : 4, chargit in the comptis befoir . . . . . vii lib. vi s. viii d.

Fra Johnne Watsone in Toftis, for Mathow Watsone, his sone, to ane compt of the first half of his entres siluer for vi s. viii d. land in Toftis, by 26 : 13 : 4, chargit in the comptis befoir . . . . xiii lib. vi s. viii d.

Fra David Watsone thair, for Johnne Watsone, his sone, in compleit payment of the first half of his entres siluer for vi s. viii d. land in Toftis, occupeit be vmquhille Johnne Zoung thair . . . . l lib.

Fra Isbell Reid, relict of vmquhille Hew Fulfuird, and Johnne Miller, now her spous, in compleit payment of the first half of thair entres siluer for vi s. viii land in Toftis . . . . . l lib.

Fra George Fulfuird, for ——— Fulfuird, dochtir to the said vmquhille Hew, to ane compt of the first half of hir entres siluer for vi s. viii d. land in Toftis . . . . . xlv lib. vi s. viii d.

Fra Johnne Kaidzow in Corslie, in compleit payment of the first half of his entres siluer for vii s. vi d. land in Corslie, by 42 : 0 : 0, chargit in the comptis befoir . . . . . viii lib.

Fra Mathow Gilmour thair, in compleit payment of the first half of his entres siluer for v s. land in Corslie, by 20 : 0 : 0, chargit in the comptis befoir . . . . . xiii lib. vi s. viii d.

Fra Johnne Auchinlos in Over Bordland, in compleit payment of the first half of his entres siluer, for xiii s. iiij d. land in Over Bordland, by 93 : 6 : 8, chargit in the comptis befoir . . . . . vi lib. xiii s. iiij d.

Fra Johnne Reid in Stanesyde, for William Fulfuird in Bulcraig, to ane compt of the first half of his entres siluer for x s. land in Bulcraig . . . . . xxxiii lib. vi s. viii d.

Fra William Miller in Kirktoun, in compleit payment of the first half of his entres siluer for x s. land in Kirktoun, by 100 : 0 : 0, chargit in the comptis befoir . . . . . xvi lib. xiii s. iiii d.

Charge of money for entres.

Fra Robert Faullis in North Kirktoun Muir, to ane compt of the first half of his entres siluer for x s. land in North Kirktoun Mwre, by 60 : 0 : 0, chargit within the comptis befoir . . . . . lx lib.

Fra Alexander Crawfuird in Woidhous, for Johnne Crawfuird, sone to Symon Crawfuird thair, in compleit payment of the first half of his entres siluer for vi s. viii d. land in Woidhous . . . . . lvi lib. xiii s. iiij d.

Mair, fra the said Robert Faullis in North Kirktoun Mwre, to ane compt of the first half of his entres siluer for the said x s. land, by 120 : 0 : 0, chargit with befoir . . . . . xxiiii lib.

iiᶜ xl lib. xiii s. iiij d.

Summa of entres syluer of the first termes payment thairof . . . v iiiᶜ xli lib. viii s. v d.

Mair, the compter charges him with the money ressauit fra the tennentis in Eglishame, for the last half and last termes payment of thair entres siluer sen the last comptis maid thairof; as particulerlie followis —

Ressauit fra Johnne Zoung in Threipland, to ane compt of the last half of his entres [siluer] for x s. land in Threipland . . . . . lviii lib. xiii s. iiij d.

Fra James Thomsone thair, to ane compt of the last half of his entres siluer for iii s. iiij d. land in Threipland, by 2 : 9 : 4, chargit in the comptis befoir . . . . . xxxii lib.

Fra Johnne Patersone, sone to Andro Patersone in Stanebyre, in compleit payment of the last half of his entres siluer for x s. land in Stanebyre, by 82 : 0 : 0, chargit in the comptis befoir . . . lxviii lib.

Fra Johnne Patersone thair, to ane compt of the last half of his entres siluer for x s. land in Stanebyre, and vi s. viii d. land in Tempillis, by 7 : 6 : 8, chargit in the comptis befoir . . . . . iiᶜ iij lib. vi s. viii d.

Fra Johnne Watsone, sone to Johnne Watsone, elder, in Hiecraig, in compleit payment of the last half of his entres siluer for x s. land in Hiecraig, by 114 : 13 : 4, chargit in the comptis befoir . . . xviii lib. xiii s. iiij d.

Fra Johnne Watsone, younger, in Hiecraig, in compleit payment of the last half of his entres siluer for vi s. viii d. land in Hiecraig, by 26 : 13 : 4, chargit in the comptis befoir . . . . . xl lib.

Fra Mathow Clyde, and Robert Clyde his brother, for Robert Clyde, sone to the said Mathow, to ane compt of the last half of his entres siluer for v s. land in Hiecraig . . . . . liii lib.

Fra James Zoung thair, to ane compt of the last half of his entres

siluer for x s. land in Hiecraig, by 40 : 0 : 0, chargit in the comptis befoir . . . . . lxxvi lib. xiii s. iiii d.

Fra Robert Or in Threipland, to ane compt of the last half of his entres siluer for xiii s. iiii d. land in Threipland . . . . xlvi lib. xiii s. iiii d.

Fra Andro Patersone in Stanebyre, for William Patersone, his sone, to ane compt of the last half of his entres siluer for vi s. viii d. land in Tempillis . . . . . xvi lib. v s. iiii d.

Fra William Armour in Hill, for Thomas Laslaw in Ardocht, in compleit payment of the last half of his entres siluer for xvi s. viii d. land in Ardoch, by 166 : 13 : 4, chargit in the comptis befoir . . . xxxiii lib. vi s. viii d.

Fra Hew Sym, for Johnne Sym, his sone, in compleit payment of his entres siluer for xviii s. vi d. land in Ardocht, by 147 : 3 : 8, chargit in the compt befoir . . . . . lii lib. xvi s. iiij d.

Fra Alexander Wallace, for Johnne Donald in Ardocht, to ane compt of the last half of his entres siluer for iii s. viii d. 2 part penny land in Ardoche . . . . . xxvi lib. xiii s. iiij d.

Fra Johnne Watsone, sone to Johnne Watsone in Torrethoill, in compleit payment of the last half of his entres siluer for viii s. x d. 2 parts penny land in Torrethoill, by 45 : 0 : 0, chargit in the compt befoir, v lib.

Fra Johnne Kirkland thair, sone to Johnne Kirkland thair, in compleit payment of the last half of his entres siluer for iiii s. v d. 3 parts penny land in Torrethoill, by ii : 0 : 0, chargit befoir . . . . . xiiii lib.

Fra Alexander Zoung in Over Enocht, in compleit payment of his entres siluer for x s. land in Over Enocht, by 43 : 6 : 8, chargit with befoir, xl lib.

Fra the said Alexander Zoung, for Johnne Thomsone in Nather Enocht, to ane compt of the last half of his entres siluer for vi s. viii d. land in Ouer Enocht . . . . . xxvi lib. xiii s. iiii d.

Fra Johnne Zoung in Nather Enocht, to ane compt of the last half of his sones entres siluer for xvi s. viii d. land in Park, and xiii s. iv d. land in Nather Enocht . . . . . xviii lib. x s.

Fra Mathow Zoung in Ouer Rivocht, to ane compt of the last half of his entres siluer for xvi s. viii d. land in Over Rivocht, by 50 : 1 : 0, chargit in the comptis befoir . . . . . lxvi lib. xiii s. iiii d.

Mair, fra the said Alexander Wallace for Johnne Donald in Ardoche, to ane compt of the last half of his entres siluer, by 26 : 13 : 4, chairgit befoir . . . . . vii lib. vi s. viii d.

Fra Johnne Faullis in Nather Rivocke, to accompt of the last half of his entres siluer for x s. land thair . . . . . xl lib. xiii s. iiij d.

Mair, fra the said Mathow Zoung in Ouer Rivoche, by 116 : 13 : 4, chargit befoir . . . . . xiii lib. vi s. viii d.

Fra William Zoung in Ouer Rivocke, for Mathow Zoung, his sone, to ane compt of the last half of his entres siluer for xi s. i d. 3 parts penny land in Ouer Rivocke, by 26 : 13 : 4, chargit within the comptis befoir, lvii lib. vi s. viii d.

Fra Johnne Zoung thair, to ane compt of the last half of his entres siluer for v s. vi d. 2 parts penny land in Ouer Rivoche . . vii lib. vi s. viii d.

Fra Johnne Zoung, zounger, in Braheid, in compleit payment for the last half of his entres siluer for x s. land of Braheid . . . . lxxx lib.

Fra Johnne Armour in Grenefeild, to ane compt of the last half of his entres siluer for viii s. iiii d. land in Grenefeild . . . . xx lib.

Fra Johnne Faullis and Andro Brysone, takismen to Alexander Zoung in Meikle Lochcraig, to ane compt of the last half of his entres siluer for xiii s. iiij d. land of Meikle Lochcraig, by 133 : 6 : 8, chargit in the comptis befoir . . . . . xxiv lib.

Fra Mathow Watsone in Litill Lochcraig, to ane compt of the last half of his entres siluer for xiii s. iiii d. land of Litill Lochcraig . . xii lib.

Fra Johnne Watsone in Meikle Bennen, to ane compt of the last half of his entres siluer for xiii s. iiij d. land in Meikle Bennen, by 40 : 18 : 0, chargit in compt befoir . . . . . xxxiii lib. vi s. viii d.

Fra Andro Strang thair, to ane compt of the last half of his entres siluer for xx s. land in Meikle Bennen, by 53 : 6 : 8, chargit in the compt befoir, xxxviii lib. xiii s. iiij d.

Fra Johnne Kirkland in Litill Bennen, in compleit payment of the last half of his entres siluer for xii s. vi d. land in Litill Bennen, by 92 : 3 : 8, chargit in the comptis befoir . . . . . vii lib. xvi s. iiii d.

Fra Renkene Flemyng thair, for Johnne Flemyng, his sone, in compleit payment of his entres siluer for xii s. vi d. land in Litill Bennen, by 6 : 13 : 4, chargit in the compt befoir . . . . . iiii^{xx} xiii lib. vi s. viii d.

Fra Mathow Zoung, elder, thair, to ane compt of the last half of his entres siluer for viii s. iiij d. land in Litill Bennen . . . . . xiii lib. vi s. viii d.

Fra Johnne Zoung, elder, in Blakwoid, to ane compt of the last half of his entres siluer for xv s. land in Blakwoid . . . . . xxxiiij lib. xiii s. iiij d.

Fra Johnne Armour in Grenefeild, to acompt of the last half of his entres siluer for viii s. iiij d. land in Grenefeild, by 20 : 0 : 0, chargit with befoir . . . . . xiii lib. vi s. viii d.

Fra Matthow Zoung, zunger, in Langlie, to ane compt of the last half of his entres siluer for x s. land in Langlie, by 36 : 15 : 4, chargit in the last compt . . . . . xxxiii lib. vi s. viii d.

Fra Robert Strang in North Mwrehous, in compleit payment of the last half of his entres siluer for xiii s. iiii d. land in North Mwrehous, and vi s. viii d. land in Meikle Bennen, by 176 : 6 : 8, chargit in the comptis befoir . . . . . lvii lib.

Fra Andrew Gilmour in North Mwrehous, mair nor the sowme of fywe hundreth merkis, chargit with in thrie comptis befoir for his entres siluer for xiii s. iiij d. land in North Mwrehous . . . . lxvi lib. xiii s. iiii d.

Fra Johnne Watsone, elder, in Blakhous, in compleit payment for his entres siluer for xiii s. iiii d. land in Blakhous, for my Lordis lyftyme and his levand togiddir . . . . . lxvi lib. xiii s. iiii d.

Fra Johnne Watsone, zounger, thair, to ane compt of the last half of his entres siluer for viii s. x d. 2 parts penny land in Blakhouse, by 66 : 13 : 4, chargit in the comptis befoir . . . . . xi lib. xiiii s.

Fra William Watsone thair, to ane compt of the last half of his entres siluer for viii s. x d. 2 parts penny land in Blakhous, by 40 : 0 : 0, chargit in the last compt . . . . . xxvi lib. xiii s. iiii d.

Fra Johnne Watsone in Bonytoun, to ane compt of the last half of his entres siluer for xiii s. iiii d. land in Bonytoun . . . . lii lib. xiii s. iiii d.

Fra William Watsone thair, in compleit payment of the last half of his entres siluer for xx s. land in Bonytoun, by 100 : 0 : 0, chargit in the comptis befoir . . . . . xxxiii lib vi s. viii d.

Fra Mathow Montgomerie in Rosmyln, to ane compt of the last half of his entres siluer for the myln and myln land, and vi s. viii d. land in Wurdill . . . . . xxxiii lib. vi s. viii d.

Fra William Zoung in Fluiris, to ane compt of the last half of his entres siluer for xxv s. land in Fluiris, by 66 : 13 : 4, chargit befoir . . xvi lib. xiii s. iiii d.

Fra Johnne Blak in North Brakenrig, to ane compt of the last half of his entres siluer for vi s. viii d. land in North Brakenrig . . xx lib.

Fra Margrat Robesone, for Johnne Watsone, hir sone, to ane compt of the last half of his entres siluer for xiii s. iiii d. land thair in Bonytoun . vi lib. xiii s. iiii d.

Fra Andro Brysone in North Brakenrig, to ane compt of the last half of his entres siluer for xiii s. iiii d. land in North Brakenrig, by 62 : 1 : 0, chargit with befoir . . . . . xxiii lib. vi s. viii d.

Fra Cudbert Watsone in South Brakenrig, to ane compt of the last half of his entres siluer for xx s. land in South Brakenrig, by 16 : 13 : 4, chargit in the last compt . . . . . xiii lib. viii s.

Fra Johnne Fulfuird thair, for William Fulfuird, his brother, to ane compt of the last half of his entres siluer for vi s. viii d. land in South Brakenrig, xiii lib. vi s. viii d.

Fra Bartilmo Reid in Toftis, for Andro Reid, sone to Andro Reid in Cassilhill, to ane compt of the last half of his entres siluer for vi s. viii d. land in Toftis, by 16 : 13 : 4, chargit in the last compt . . xxii lib. x s. viii d.

Fra Dauid Watsone in Toftis, for Johnne Watsone, his sone, in compleit payment for the last half of his entres siluer for vi s. viii d. land in Toftis, occupeit last be vmquhille Johnne Zoung . . . . 1 lib.

Fra Johnne Wilsone in Corslie, for James Watsone thair, in compleit payment of his entres siluer for vii s. vi d. land in Corslie, by 46 : 6 : 8, chargit in the comptis befoir . . . . . iii lib. xiii s. iiii d.

Fra Johnne Kaidzow in Corslie, to ane compt of the last half of his entres siluer for vii s. vi d. land in Corslie . . . . . xvi lib. xiii s. iiii d.

Mair, fra the said Cudbert Watsone in South Brakenrig, to ane compt of the last half of his entres siluer for his xx s. land thair, by 30 : 1 : 4, chargit befoir . . . . . vi lib. xiii s. iiii d.

Fra Johnne Auchinlos in Over Bordland, to ane compt of the last half of his entres siluer for xiii s. iiii d. land in Ouer Bordland . . lxxvi lib. xiii s. iiii d.

Fra Alexander Currie for William Currie, in compleit payment of the last half of his entres siluer for vi s. viii d. land in Over Bordland, and iii s. iiii d. land in Kirkstyle . . . . . iiii^{xx} xv lib.

Fra William Brysone in Nather Bordland, to ane compt of the last half of his entres siluer for xx s. x d. land in Nather Bordland . . xxxiii lib. vi s. viii d.

Fra James Brysone in Kirktoun, for William Brysone his sone, to ane compt of the last half of his entres siluer for vi s. viii d. land in Kirktoun, by 56 : 13 : 4, chargit in the comptis befoir . . . . xii lib.

Fra William Miller in Kirktoun, to ane compt of the last half of his entres siluer for x s. land in Kirktoun . . . . . lxvi lib.

Fra vmquhille Mathow Zoung in South Kirktoun Mwre, for Thomas Zoung, his sone, and fra Mathow Zoung, brother to the said Thomas, to ane compt of the said Thomas his entres siluer, the last half thairof, by 50 : 0 : 0, chargit in the comptis befoir . . . . . lxi lib. vi s. viii d.

Fra William Armour in Hill, in compleit payment of the last half of his entres siluer for xv s. land in Hill, by 40 : 0 : 0, chargit befoir . . . . . lx lib.

Fra Johnne Baird in Lidzet, to ane compt of the last half of his sones entres siluer for vi s. viii d. land in Lidzet, and half of the Walkmyln, by 40 : 0 : 0, chargit with befoir . . . . . x lib.

Fra Alexander Dauidsone in Braidflat, for Johnne Crawfuird, sone to Johnne Crawfuird in Woidhous, to ane compt of the last half of his

entres siluer for xiii s. iiii d. land in Woidhous, by 47 : 6 : 8, chargit in the last compt . . . . . lx lib. xiii s. iiii d.

Fra Alexander Crawfuird, for Johnne Crawfuird, sone to Symon Crawfuird in Woidhous, to ane compt of the last half of his entres [siluer] for vi s. viii d. land in Woidhous . . . . . x lib.

Fra Bessie Fulfuird in Cokislin, in compleit payment of hir entres siluer for ane hous and zaird in Cokislin, by 20 shillings befoir . . . xlvi s. viii d.

Fra James Reid in Kirktoun, in compleit payment of the last half of his entres siluer for ane hous and zaird in Kirktoun . . . . iii lib. vi s. viii d.

Fra Robert Warnok thair, in compleit payment of the last half of his entres siluer for his housses, zaird, and peice land in Kirktoun, by 6 : 13 : 4, chargit with befoir . . . . . vi lib. xiii s. iiii d.

Summa of money for the second termes payment of the entres siluer in Eglishame . . . iim iiic lxv. lib. viii d.

Charge of money for the Eistwoid.

The compter charges him with the money of the fute of compt of the ferme meill of the barony of Eistwoid, for the crop and zeir of God Im sex hundreth and sextene zeir; extending to . . . im iic. lxxvii lib. xvii s. iii d.

Charges him with the money of the fute of compt of the ferme beir of the barony of Eistwoid for the said crop Im sex hundreth and sextene zeir; extending to . . . . . iic xxxiiii lib. xiii s. iiii d.

Charges him with the Witsonday and Mertimes maillis of the landis and barony of Eistwoid, for the zeir of God Im sex hundreth and sevintene zeir, as is particularlie contenit in the charge off comptis preceding; extending to . . . . . lxii lib.

With the money addettit be Johnne Dunlop for the Myln stane craig, the zeir 1617 . . . . . iiii lib.

With the money of the fute of the compt of caponis, 1616 . . v lib. xiii s. iiii d.

With the fute of the compt of hennis, 1617 . . . . . vi lib. xiii s. iiii d.

Summa of the haill charge of money — xiiiim ixc xxxvi lib. viii s. xi d.

Followis the discharge of money; and first for annuallis —

In the first, the compter discharges him with the money delyuerit to James Hammiltoun, provest of Glasgw, in name and behalf of the laird of Siluertounhill, for his annualrent quhilk he hes out of Eglishame for Witsonday and Mertimes termes Im sex hundreth fourtene, sex hundreth fyftene, and sex hundreth sextene zeiris, as his discharge beiris, ic xl lib.

Mair to him, for the said annual rent of vii^{c} merkis for Witsonday and Mertimes I^{M} sex hundreth sevintene zeir, as his discharge beiris . xlvi lib. xiii s. iiii d.

To the persone of Renfrew, for ane zeiris annuall of vii^{xx} merkis for ane zeir to Witsonday I^{M} sex hundreth and auchtene zeir, as his discharge beiris . . . . . iiii^{c} lxvi lib. xiii s. iiii d.

To George Hutchesone for the annuall of v^{xx} merkis for ane terme to Mertimes I^{M} sex hundreth and sevintene zeir, as his discharge beiris, i^{c} lxvi lib. xiii s. iiii d.

Mair to him, for ane zeiris annuall of the said sowme of v^{xx} merkis to Mertimes I^{M} sex hundreth auchtene zeir, as his discharge beiris . . iii^{c} xxxiii lib. vi s. viii d.

To Mr. Patrik Walkinschaw, minister at Mwnkland, for ane annualrent of ii^{c} lib. he and his wyfe hes out of the Maines of Polnwne for Witsounday and Mertimes termes I^{M} sex hundreth sextene and sevintene zeiris, as his discharges beiris . . . . . xl lib.

To George Sympsone, tailzour, burges of Edinburgh, for the annuall of iiii^{xx} merkis quhill Mertimes I^{M} sex hundreth auchtene zeir, as his discharge beiris . . . . . ii^{c} lxvi lib. xiii s. iiii d.

To James Hammiltoun of Aikinheid, in name and behalf of William Maxwell in Cowglen, tutour to Grissell Maxwell, dochtir to vmquhille Mr. Gabriell Maxwell, for the annuall of i^{xx} lib. the said Grissell hes out of the barony of Eglishame, for Witsonday and Mertimes termes I^{M} sex hundreth sextene and sevintene zeiris, as the said William Maxwellis discharge beiris . . . . . ii^{c} lib.

To Helene Stewart, relict of vmquhille Johnne Kennedie of Glendrischag, for hir annuall of iiii^{c} lib. for Witsonday and Mertimes termes, the zeiris of God I^{M} sex hundreth fourtene, fyftene, sextene, and I^{M} sex hundreth sevintene, as my Lordis lettir and hir discharge beiris . . . . . i^{c} lx lib.

To Robert Campbell in Mylntoun, for his annual of iiii^{c} merkis, quhilk he hes out of Eglishame, for Witsonday and Mertimes termes I^{M} sex hundreth sevintene zeir, as his discharge beiris . . . xxvi lib. xiii s. iiii d.

To the laird of Scottistoun for his annual rent quhilk he has out of the landis of Hill and landis of Grenefeild in Eglishame for Witsonday and Mertimes termes I^{M} sex hundreth and sevintene zeir; viz., out of the Hill xxxvii lib. vi s. viii d., and out of the Grenefeild xxxiii lib. vi s. viii d., as his discharges beiris . . . lxx lib. xiii s. iiii d.

To Lawrence Scot, aduocat, in name of the bairnes of vmquhille Alexander Scot, in Deane, for the annuall of ii^{xx} merkis quhill Witsonday I^{M} sex hundreth nyntene zeir, as the said Lawrence discharge beiris . i^{c} xxxiii lib. vi s. viii d.

To the laird of Dundas for his annuall of viii^{m} merkis for Witsonday and Mertimes termes I.^{M} sex hundreth and auchtene zeir, as his discharge beiris . . . . . v^{c} xxxiii lib. vi s. viii d.

To the persone of Renfrew for ane zeiris annual of vii^{m} merkis fra Witsonday 1618 to Witsonday I.^{M} six hundreth nyntene, as his discharge beiris . . . . . iiij^{c} lxvi lib. xiij s. iiij d.

To Isbell Schaw, relict of vmquhille James Campbell, for hir annuall of twa thowsand merkis for Witsonday and Mertimes termes I.^{M} sex hundreth auchtene, as hir discharge beiris . . . . . i^{c} xxxiii lib. vi s. viii d.

Summa of money for annuellis . . iii^{m} i^{c} lxxxiiii lib.

Discharge of Money.

Apryle 12. In the first, vpon the 12 of Apryle 1617 in Glasgw, for grathing ane hagbut of my Lordis, and for half ane pund of puldir, and half ane pund of leid . . . . . xxvi s. viii d.

20. The 20 day of Apryle, to Johnne Dunlop for my Lordis ordinar expensis at his hous, beginand the 2 of Apryle, to the 16 day thairof at none; and for sum aqua vytie, as the compt thairof subscryuit be my Lord beiris . . . . . lxix lib. xii s.

For cutting ane trie in the Eistwoid to be a leddir to the place of Corslie, and for making it . . . . . xx s.

Maij 14. The 14 of Maii, send to Edinburgh to my Lord, with Alexander Zoung in Over Enoche . . . . . vi^{c} lib.

For viii daillis to be the new zet of the auld ward of Polnwne . . v lib. vi s. viii d.

To William Gilmour, for biging the stane work of the said ward zet . iiii lib. vi s. viii d.

For lyme and sand thairto . . . . . xx s.

For thrie pair of brankis to my lordis hors, and for four soullis to thame, x s.

For ane tub and a barrow to the stable . . . . . xvi s.

For ane hwik to scheir gers with . . . . . vi s. viii d.

For sex faddum towis to my Lordis blak staig . . . . . xvi s.

To Mathow Zoung for mending xv fallis of the new ward dyke . . x s.

Junij 10. The 10 day of Junij, to Patrik Bell, merchand in Glasgw, for xvi daillis, and ane double spar to the place of Polnwne . . . . . xiiii lib.

For ten lokis to dures in the place of Polnwne . . . . . vi lib. xviii s.

To the smyth in Jacktoun for mending a lok . . . . . xi s.

16. The 16 day of Junij, send to Edinburgh to my Lord with Alexander Currie . . . . . v^{c} ii lib.

For thrie dusane chikinis send to Edinburgh, to my Lordis hous thair . iiii lib. xv s.

j 20.	The 20 day of Julij 1617, delyuerit to Johnne Dunlop, for bying provisioun to my Lordis hous in Glasgw, the Kingis Maiestie being thair	iiii^{xx} xi lib. iiii s. viii d.
27.	The 27 of Julij, in Glasgw, delyuerit to Mathow Birsbane his sone for ane hors my lord bocht fra him	i^{c} xx lib.
	For mawing the hay in the auld ward of Polnwne	xxx s.
	And gevin for wyning it	xxvi s. viii d.
12.	The 12 of August, to James Elphinstoun, glasin wrycht, for mending the glas windo in the laiche gavill chalmir in Polnwne, extending to xiii fute mendit work	xxxv s.
	And to his man for careing it	iii s.
19.	The 19 of August, send to Setoun of buttir fiftie stane twa pund; quhairof wes of my Lordis awin buttir fourtie ane stane xiiii pund and a half, and of bocht buttir viii stane iii pund; pryce of the stane liii s. iiii d.—summa	xxi lib. viii s. iiii d.
27.	The 27 of August, in Glasgw, delyuerit to Margrat Ros, for my Lord and my Lady thair ordiner expenses and thair cumpaneis at hir hous, as the compt thairof beiris	xxxi lib. xiii s. vi d.
	And to the kuik and seruandis thair	xxxvi s.
	The said day for vi faddum towis to my Lordis blak staig . . .	xviii s.
	The said day in Glasgw, to Mathow Glen, baxster, for ane boll flour in baikin breid, send to Irwin to my Lordis hous	x lib. xiii s. iiii d.
	To ane man send out of Glasgw to the calender for my Ladeis virginellis, and careing thame to Eglintoun	liii s. iiii d.
	The 5 of September my Lord derectit William Buntene to Edinburgh; delyuerit to him at my Lordis command	xl lib.
er 6.	The 6 day of September, to Johnne M^{c}Quhirie for his wages in Polnwne, beginand the first day of Junij 1617, to the said 6 day at evin, being iiii^{xx} xviii dayis, ilk day iii schillingis: summa	xiiii lib. xiiii s.
	For ane boll flour, bocht in Glasgw, and send to Eglintoun . . .	x lib.
	To Johnne Dunlop, for my Lordis ordiner expenses at his hous at twa sindrie tymes, in twa comptis; the ane beginand the 17 of Julij 1617, the vther the 26 of September, the said zeir, and vther comptis, as the samyn subscryuit be my Lord beiris	iiii^{xx} vi lib. iiii s. x d.
	For xxii daillis bocht to the place of Polnwne, at xiiii s. the peice . .	xv lib. viii s.
r.	The day of October, to Alexander Currie, for xxi stane ten pund of buttir send west to my Lordis hous in Eglintoun, at 1 sh. the stane: summa	liiii lib. xv d.

October 10. 12. The 10 and 12 dayis of October, for twa bollis flour send to Eglintoun; the ane out of Glasgw, and the vther out [of] Hammiltoun . . xix lib. vi s. viii d.

For twa forrow ky, send west to Eglintoun; the ane at xiiii lib. vi s. viii d. the vther at xii lib.: summa . . . . . xxvi lib. vi s. viii d.

To Patrick Bell, merchand in Glasgw, for xx dowble fir sparris, and xx single sparris, pryce of the double spar xxxvi s., and of the singill spar xviii s.: summa . . . . . liiii lib.

Thir send to Eglintoun.

Mair, for fywe dowbill sparris send thairefter, at xxxiii s. iiii d. the spar . viii lib. vi s. viii d.

29 The 29 of October, delyuerit to Johnne Dunlop, conforme to my Ladeis ticket . . . . . xl lib.

To the cadger for bringing the thrie cariages out of Edinbruch to Eglishame, quhilk William Buntene convoyit . . . . . x lib.

November 18. The 18 day of November 1617, to Johnne Montgomerie for his feall, anno 1617 . . . . . xl lib.

21. The 21 day of November 1617, in Edinbruch, delyuerit at my Lordis command, to William Ros, merchand, as his compt of furnissing of tapestrie and vther merchand wairis particularlie beiris . . vii^{c} iiii^{xx} x lib. xiii s. iiii d.

The said day delyuerit to Lawrence Scot, aduocat, for his pensioun this instant zeir of God I^{M} sex hundreth sevintene, as his discharge beiris . ii^{c} xl lib.

24. The 24 of November, in Edinbruch, delyuerit to Thomas Martene, merchand thair, for furnissing of sueit meitis, spyces, and vtheris necesseris, as his compt beiris . . . . . i^{c} xi lib. xvi s. ix d.

25. The 25 of November, in Edinbruch, delyuerit to Dauid Carstairis, seruitour to Johnne Carstairis, merchand burges of Sanctandrois, conforme to my Lordis obligatioun maid to him of fywe thowsand merkis, as the same beiris, of the dait, at Setoun and Edinbruch, the 4 of December 1615 . . . . . iii^{m} iii^{c} xxxiii lib. vi s. 8 d.

For the lettres of suspensioun aganes Neill Montgomerie anent Henreis croft . . . . . xlvi s. viii d.

For the act of cautioun thairanent . . . . . xxxvi s.

For the compteris expensis in Edinbruch, and be the gait hame, and a-feild, beginand one Tysday the 18 of November, to Thurisday the 27 day thairof, at evin, being ix dayis, ilk day xxx s. — inde . xiii lib. x s.

Quhairof to Johnne Wallace by his cariage siluer for byding in Edinbruch the said space . . . . . .

The day of November, to a cadger for bringing a barrell of Spanes wyne out of Edinbruch to Eglishame, as Robert Forrestis lettir beiris, iii lib.

	For foddering sex zoung guidis of my Lordis, fra Hallowmes 1617, to Beltane 1618	x lib.
	For flour, eggis, and balormie to mend ane of the legis wes broikin . .	viii s.
	To Johnne Harbie, for foddering ane stirk to my Lord the zeir preceiding	xxvi s. viii d.
3.	To Johnne Dunlop for my Lordis ordiner expensis at his hous, beginand the 14 off November, at evin, to the 18 day thairof efter denner, and for aqua vytie, as the compt thairof beiris	lii lib. iii s.
8.	The 8 day of December, in Glasgw, gevin for vi stane wecht of candill; pryce of the stane liii s. iiii d.: summa	xvi lib.
	The said day, gevin for ane brasin kettill send west to Eglintoun, weyand xiiii pund and vi vnce; pryce of the pund xiii s. iiii d.: summa .	ix lib. xi s. viii d.
	To Margrat Ros, for sex coveringis send west to Eglintoun, at iii lib. the peice	xviii lib.
	For ane new lint quheill bocht at my Ladeis command . . .	iiii lib. x s.
	To the manis boy that maid, of drink siluer	ii s.
	For ane quheill band thairto	ii s.
	For mending the grayth of ane vther quheill, conforme to my Ladeis derectioun	xii s.
	For thrie lint quheill bandis	vi s.
	For thrie pund mwstard seid	xx s.
	For thrie wyre chandilleris	xxiiii s.
18.	The 18 day of Januar 1618, send west to my Lord, as his Lordship's lettir beiris	iic lib.
25.	The 25 of Januar, for ane galloun and a half a mwtskin and a half of aqua vytie, send eist with James Colles	xxiiii lib. xv s.
	For twa half galloun barrellis, and twa quart barrellis to put it in . .	xl s.
	For ane firlot quhyt salt, and ane vther firlot befoir, send to Eglintoun .	xxiiii s.
	For fywe hundreth plainschour naillis and a thowsand ries send befoir .	vii lib. x s.
21.	The 21 of Februar, delyuerit to Johnne Dunlop for Henrie Setounes compt; as my Ladeis lettir derectit to the said Johnne beiris .	lxi lib. ix s. iiii d.
2.	The 2 day of Marche, to the knokmaker in Glasgw, for graithing my Lordis knok	iiii lib. x s.
12.	The 12 of Marche, in Glasgw, to Patrik Bell, merchand, for ane hundreth daillis send to Eglintoun	lxxx lib.
12.	For drawing the said daillis fra Glasgw to Govane fuird to the boit .	iii lib.
the last-	For beiring thame to the kairtis	viii s.
	To the boy brocht word the boit wes cum	vi s.

	For the cwstwme at the brig of Glasgw	iii s. iiii d.
Marche 24.	The 24 of Marche, gevin for registring the lettres of horning aganes certane the tennentis of Eglishame, quhilk wer registrat the 2 of Marche	xlvi s. viii d.
	For sex litill stok lokis send west to Eglintoun, at vii s. iiii d. the lok .	xliiii s.
	For ane firlot small salt send west	xii s.
	For half ane pect mwstard seid	xxvi s. viii d.
Apryle 7.	The 7 of Apryle, to David Stene for vsing the warning aganes the laird of Lus and his tennentis of Garscwbe, anent the mos of Scottistoun .	xliiii s.
13.	The 13 of Apryle, for thrie kidis send west to Eglintoun, at xviii s. iiii d. the kid	lv s.
27.	The 27 of Apryle, in Glasgw, for fywe greit salmond send to Eglintoun .	viii lib.
	For twa kiddis send thair	xxxviii s.
29.	The 29 of Apryle, in Glasgw, gevin for four pund raissingis of the sone, at v s. vi d. the pund; and for viii pund plum dames, at ii s. i d. the pund—summa	xxxviii s. viii d.
Maij 2.	The 2 of Maij, for ane stane wecht of plumdames send to Eglintoun .	xxxiii s. iiii d.
4.	The 4 of Maij, in Glasgw, gevin for twa pair kairt quheillis for stane kairtis	xvi lib.
	For irne work to the said twa pair of kairt quheillis, in banding, busching, and schoing thame, extending to xviii stane v pund; pryce of the stane wecht, maid work, iii lib.—summa	liiii lib. xviii s. ix d.
	For four cabiris to draw the quheillis west with	v s. iiii d.
	And of drink siluer	x s.
13.	The 13 of Maij, in Eglishame, delyverit to my Lord, as his Lordship's ticket beiris	lx lib.
18.	The 18 of Maij, in Glasgw, gevin for sex salmond send west to Eglintoun,	vi lib.
	To Johnne Dunlop for my Lordis ordiner expenses at his hous, beginand the 7 day of Maij to the 13 day thairof at none, as the compt subscryuit be my Lord beiris	lii lib. v s. viii d.
20.	The 20 day of Maij, delyuerit to Johnne Dunlop to pay in Edinburgh for lint, as my Ladeis lettir beiris	lxiiii lib. xviii s.
	The said day to Johnne Armour, cadger, for bringing hame my Lordis lansis	viii lib.
25.	The 25 of Maij, for ane boll flour, bocht in Glasgw and send to Eglintoun,	xi lib. iiii s.
	And for ane firlot of salt	xiii s.
	For ane thowsand plainschour naillis at x s. the hundreth, and fywe hundreth sylouring naillis, at viii s. the hundreth, send to Eglintoun .	vii lib.

Junij 2.	The 2 day of Junij, send to Eglintoun of buttir quhilk wes bocht ix stane iiii pund; pryce of the stane lvii s. iiii d.—summa . .	xxvi lib. x s. iiii d.
4.	The 4 of Junij, in Edinbruch, delyuerit to Mr. Francis Hay, wryter to the signet, conforme to my Lordis band maid to him, of the dait at Edinbruch, the 29 of Junij 1617	vi^{c} lxvi lib. xiii s. iiii d.
5.	The 5 of Junij, in Edinbruch, delyuerit to my Lord in his Lordship's chalmer at nycht	i^{c} xxxiii lib. vi s. 8d.
6.	The 6 of Junij, in Edinbruch, delyuerit to Robert Forrest, as my Lordis ticket beiris	xl lib.
	For the compteris expenses in Edinbruch, and be the gait hame and afield, beginand the 3 of Junij to the 7 day thairof, four dayis .	vi lib.
13.	The 13 day of Junij, in Irwin, delyuerit at my Lordis command to the provest and balleis thairof, as thair discharge beiris	vi^{c} lxvi lib. xiii s. iiii d.
13.	The said day, in Eglintoun, delyuerit to my Lord, as his Lordship's ticket beiris	lxvi lib. xiii s. iiii d.
25.	The 25 day of Junij, delyuerit to Johnne Dunlop, quhilk he debursit in my Lordis effairis, as the particuler compt thairof, heirwith producet, beiris	l lib.
Julij 3.	The 3 day of Julij, in Glasgw, for half ane stane of plumdames send to Eglintoun	xvi s. viii d.
	And for half ane stane of raisingis of the sone send thair . . .	xliiii s.
4.	The 4 of Julij, in Glasgw, for xv mwre powtis, and ane auld mwrefoull send to Eglintoun	iiii lib.
	And for four fresche salmond send thair	iiii lib. xii s.
8.	The 8 of Julij, to four men and twa wemen, for thresching, schaiking, and dichting the aitis wes in Polnwne, that come out of the Ardoche,	xl s.
	To Andro Luis, smyth in the Kirktoun of Eglishame, for his work, as his compt beiris	xx lib. xiiii s. v d.
	To William Gilmour, wrycht, for his compt for work, as the same beiris,	v lib. xiii s. iiii d.
13.	The 13 of Julij, in Glasgw, to Johnne Wallace for chirreis he send to Eglintoun	xiiii s.
	And for twa mwrefoullis and a powt he send to Eglintoun . . .	xxii s.
20.	The 20 day of Julij, in Glasgw, for ane gray hen and thrie of hir powtis send to Eglintoun	xxvi s. viii d.
	The said day, for ane firlot small salt	xii s.
	The said 20 day of Julij, send to my Lord, quhilk Thomas Neving ressauit, ane thousand merk, quhilk my Lord borrowit fra George Hutchesone, quhaireof the said George retenit for the annuall thairof	

quhill Whitsonday 1619—lxi lib. ii s. iiii d. Sua restit, quhilk I send west . . . . . vi^{xx} v lib. ix s.

August 7. The 7 day of August, send to Setoun, at my Lordis command, xxx stane of buttir; quhairof wes of my Lordis awin buttir xxiiii stane vi pund and a half, and of bocht buttir to mak it out, v stane ix pund; pryce of the stane, liii s. iiii d.—summa . . . . . xiiii lib. xviii s. iiii d.

And for xx stane of cheis send thair, at my Lordis command, at xxii s. the stane . . . . . xxii lib.

To Johnne Dunlop for my Lordis ordiner expenses at his hous, beginand the 20 day of August, to the 25 day thairof, efter denner, as the compt subscryuit be my Lord beiris . . . . . xxviii lib. xix s.

September 7. The 7 of September, in Glasgw, for xiii^{xx} naillis send to Eglintoun; quhairof i^{m} wes at xi s. the hundreth, and iii^{c} at xiii s. iiii d. the hundreth — summa . . . . . vii lib. x s.

And for i firlot small salt send thair . . . . . xii s.

10. The 10 day of September, in Glasgw, gevin for nyne stane twa pund of kaik leid send to Eglintoun, pryce of the stane liii s. iiii d.—summa . xxiii lib. vi s. viii d.

23. The 23 of September, send to Setoun at my Lordis command xxx stane of buttir; quhairof wes of my Lordis awin buttir ix stane ix pund, and of bocht buttir xx stane vi pund and a half, pryce of the stane lvi s. viii d.—summa . . . . . lvii lib. xv s. i d.

To Johnne Reid, my Lordis man, for his wages in Polnwne, beginand the 14 day of Maij 1618, to the first day of October nixt thairefter, extending to sevin scoir dayis, ilk day iiii s.—summa . . . . xxviii lib.

To Robert Wylie, cowper in Glasgw, for ane new maskat and a crub to the brew leid in Eglintoun, and for cuming thair and setting thame vp, xxxiii lib. vi s. viii d.

To his man of drink siluer . . . . . xx s.

For ane hay stak coft fra James Widderow, in symmer 1617 . . xxvi lib. xiii s. iiii d.

The compter discharges him with the raisit maill of Blakwodhill, anno 1617, quhairwith he is chargit, and it out of vse of payment . . viii lib.

With the maill of the xvi s. viii d. land of Park, disponit to Hew Montgomery of Auchinhude, for the crop 1617 . . . . . iii lib.

With the syluer maill of South Mwrehous, 1617, in the handis of Williame Mvre of Glanderstoun, alledgit disponit to him be my vmquhile Lord, xii lib.

With the syluer maill of Henryiscroft, intromettit with be Neill Montgomery, 1617 . . . . . iiii lib.

For cutting tymmer to the housses of the Manes of Polnone, and for mending and repairing the saidis housses . . . . . x lib. xvi s. viii d.

For stray to the theiking of the housses of Corslie, in anno 1617 . . iiii lib. xii d.
To Jonet Mvre in Crawfurde Maines for the ferme scho payit to my Lord for the crop 1612, and thaireftir tane fra hir be Robert Craufurde . x lib. xi s.
To Dauid Stevin for summonding the tennentis of Garscube vpoune the warning maid be my Lord to thame fra the mos of Scottistoun . . xl s.
liiij lib. viij s. viij d.
Summa of discharge of money extendis to xiii^{m} ix lib. xviii s. xi d.
The charge is . . . . xiiii^{m} ix^{c} xxxvi lib. viii s. xi d.

And sua the compter restis awand ane thousand nyue hundreth twentie sex pundis ten schillingis.

At Eglintoun, the thrid day of October, the zeir of God I^{M} VI^{c} and auchtene zeiris, this compt hard, sene and allowit, in the quhilk the compter Robert Scales is fundin to be restand awand to ane noble and potent erle, Alexander Erle of Eglintoun, his maister, the sowme of ane thowsand nyne hundreth twentie sex pundis ten schillingis money: Provyding alwayes gif any misrekning or wrang compt beis fundin, ather in the charge or discharge foirsaid, the samyn to be reformit and mendit according to reasoun and ordour of guid compt. In witnes quhairof the said noble erle and the compter himself hes subscryuit thir presentis with thair handis, day, zeir and place foirsaidis, befoir thir witnesses, Thomas Nevin of Monkridding, and Johnne Dunlop in Polnone Mylne.

Eglintoun.
Robt. Scales, Compter.
T. Nevin, witnes.
Jhone Dunlop, witnes.

Agreement between John Earl of Montroise, and Alexander sixth Earl of Eglintoun, that the former should have precedence of the latter, 17th June 1617.

1. At Edinburghe, the sevintein day of Junii, the zere of God ane thousand sex hundreth and sewintein zeiris. It is mutualie aggreit betuix the honorabill and noble lordis, Johne Erll of Montroise, Lord Grahame and Mugdok, etc., on the one pairt, Alexander Montgomrie, Erll of Eglingtoun, Lord Montgumrie and Kilwinning, etc., on the wther part, in maner following, to wit; that nochtwithstanding the decreit gevin be the Lordis Commissionaris appointit be His Maiestie for ranking of the noble men of this kingdome of Scotland in thair awin places to be kepit at parliamentis and generall counsellis, the saidis lordis commissionaris be thair decreit, gevin wpon the fyft day of Marche, I^{M} VI^{c} and sex zeiris, fand, decernit and appointit the Erll of Eglingtoun to haue place befoir the Erll of Montrois; as the said decreit gevin thairwpon beris: Neuertheles, the saidis Erllis, with advyse of thair honorabill and noble frendis, and for the better entertinement of mutuall loue and freindschip betuix thame and thair posteritie

in all tyme cuming, and avoyding of any controuersie micht aryse for prioritie of the said place, haif now condiscendit, and be the tenour heirof condiscendis, that the said Erll of Montrois and his successouris, Erllis of Montrois in all tyme cuming, sall enioy and posses the prioritie of place in all parliamentis, conventiounes generall and wther counsellis and publict metingis; nochtwithstanding of the foirsaid decreit pronuncit be the lordis comissionaris for ranking of the nobiletie, and whatsumeuer reciproketie past amongis the said noble men in courtesie at this present parliament salbe no clame heirefter to the said Erll of Eglingtoun, his airis nor successors, of any prioritie of place befoir the said Erll of Montroise airis or successouris in ony time cuming; bot that the said Erll of Montroise and his foirsaidis sall enioy the prioritie of place as is abone writtin in all tyme heirefter: In consideratioun heirof the said Johne Erll of Montrois faithfullie promesis wpon his honour, fayth and fideletie, to do his wter and exact diligence for keiping of his awin place of prioretie aganis the remanent persones contenit in the said decreit, wha ar thairby rankit posteriour to his Lordschip; as also sall concur and assist be law the said Erll of Eglingtoun, his aris and successoris, in defence of his rycht and priuelege of the place decernit and appointit to him be the said decreit; but preiudice alwayis to the said Johne Erll of Montrois and his foirsaidis, of his place and prioritie befoir the said Erll of Eglingtoun and his successouris in all tyme cuming: And for the mair securetie heirof, bayth the said noble Erllis ar content and consentis that thir presentis be insert and registrat in the bookes of Parliament or Counsell, thair to remane ad futuram rei memoriam; wnto that effect makis, constitutis and ordanis
thair procuratouris, to compeir and consent to the registratioun heirof in maner abonewrittin; promittan be thir presentis to byd firme and stable, etc.: In witnessing wherof thir presentis, writtin be Williame Blacwode, seruitour to the said Erll of Montroise, bayth the saidis parteis hes subscriuit thir presentis with thair handis, as followis, day, zeir and place foirsaidis, befoir thir witnesses, George Erle of Wintoun, James Erle of Abercorne, Johne Lord Flemyng, Hew Lord Sempill, Sir Williame Levingstoun of Kilsayth, Knycht, ane of the ordinar Senatouris of the College of Justice, and Dauid Grahame of Fentrie.

J. L. Flemyng, witness. Wintoun, witnes. Montrose.
Kilsayth, vitnes. Abercorne, witnes. Eglintoun.
D. Grahame of Fintrie, vitnes. H. L. Sempill.

Agreement between John Earl of Montrois, and Alexander sixth Earl of Eglintoun, that the former should have precedence of the latter, 27th November 1620.

212. At Edinburght, the tuentie sewin day of Nouember, the yeare of God ane thowsand sex hundrethe and twentie yeares: It is mutualie apoynted, accordit and agreit vpon betuix the honorabill pairteis following, to witt, the right nobill and potent erle, Jhone Erle of Montrois, Lord Grahame and Mugdock, etc., vpone the ane pairt, and the right nobill and potent erle, Alexander Erle of

Eglintoun, Lord Mongomerie and Kilwynning, etc., vpon the other pairt, in maner and forme eftirspecifeit, that is to say: Forsuamekle as the Lordis Commissioners appoynted be His Maiestie for the ranking and placeing of the nobillmen of the kingdome of Scotland in thair plaices and rankis in all parliaments and generall counsallis, hes be thair decreit gevin and pronuncit vpon the fyft day of Marche I^m VI^c and sex yeares, fund, appoynted and ordayned the Erle of Eglintoun, etc. to hawe rank and plaice befoir the Erle of Montrois; as the said decreit in it selfe beiris: Newertheles the said nobill erle, Alexander Erle of Eglintoun, of his awin frie goodwill and motiwe, butt any actioun of law, procese or reductioun, for syndrie good considerationns mowing him, and specialie for mantenance of auncient amitie, lowe and kyndnes, quhilk has bene betuix the Erle of Montrois and him, and thair houssis in thair predicessours and thair awin tymes, and that the same may continew withe thair airis and successours for all aidges to cum, hes acknawledgitt, and be thir presentis akknawlegis that the said Erle of Montrois in dew and richt, hes the rank and plaice of Erledome before him, and thairfore the said Erle of Eglintoun, for him, his airis and successours, Erlis of Eglintoun, etc., be thir presentis discharges and quyetclaymis all tytill, richt or questioun of precedence in rank, to the said Erle of Montrois, his airis and successouris in the erledome of Montrois, notwithstanding of the decreit of the saidis Lordis Commissioners; quhilkis be thir presentis, the said Erle of Eglintoun, for him and his successoris, renuncis in sua far as concernis the said Erle of Montrois; and renuncis heirby all actioun, pretence or questioun thairanent in all tymes cuming; granting heirby that the said Erle of Montrois, and his airis, Erlis of Montrois, etc., oucht and should haiff the precedence, plaice and seance befoir him and his airis, Erlis of Eglintoun, in all parliaments and other generall conventiouns or metings: For the whilks caussis, and for the mantenance of the lowe, amitie and freindschip betuix the saidis nobill Erlis and thair successours, the said Jhone Erle of Montrois, etc. grants him selffe to be bund and obleist, lykeas be thir presentis he byndis and obleissis him, his airis and successoris, Erlis of Montrois, etc., that giff ewir it sall happin any of the Erlis, or thair airis or successoris, wha ar, be the decreitt before mentionat, plaiced efter the saids Erlis of Montrois and Eglintoun, etc., to rayse or intend anye actioun or summondis againe thame, or anye ane of thame, thair airis or successours, acclayming thairbye to be rankitt or plaiced befoir thame, or anye ane of thame, thair airis or successours; that then and in that caice, the said Erle of Montrois, etc., and his foirsaidis, shall concurr and assist with the said Erle of Eglintoun and his foirsaidis, to the defence and mantenance of the said caus, as his awin propper, and in the same caice as gif he stoode still in the rank, according to the befoir mentioned decreitt gevin be His Majesties Commissioners; and be thir presentis gewis full power and commissioun for him and his foirsaidis, to the said nobill erle, Alexander Erle of Eglintoun, etc., and his foirsaidis, to compeir and cause compeir for him and his foirsaidis, for his enteres, to mak all lawfull defensis aganis anye sic actiounis; the quhilkis defenssis the said Jhone Erle of Montrois, etc., byndis and obleissis him and his foirsaidis, to manteyne be all his best meanes; likeas being dewlie and tymelie requyred thairtoe, he and his foirsaidis shall with his or thair awin presencis, and all other best meanis, assist and concurr with

Passport by Viscount Falkland, Lord Deputy of Ireland, to Captain William Stewart, 20th September 1627.

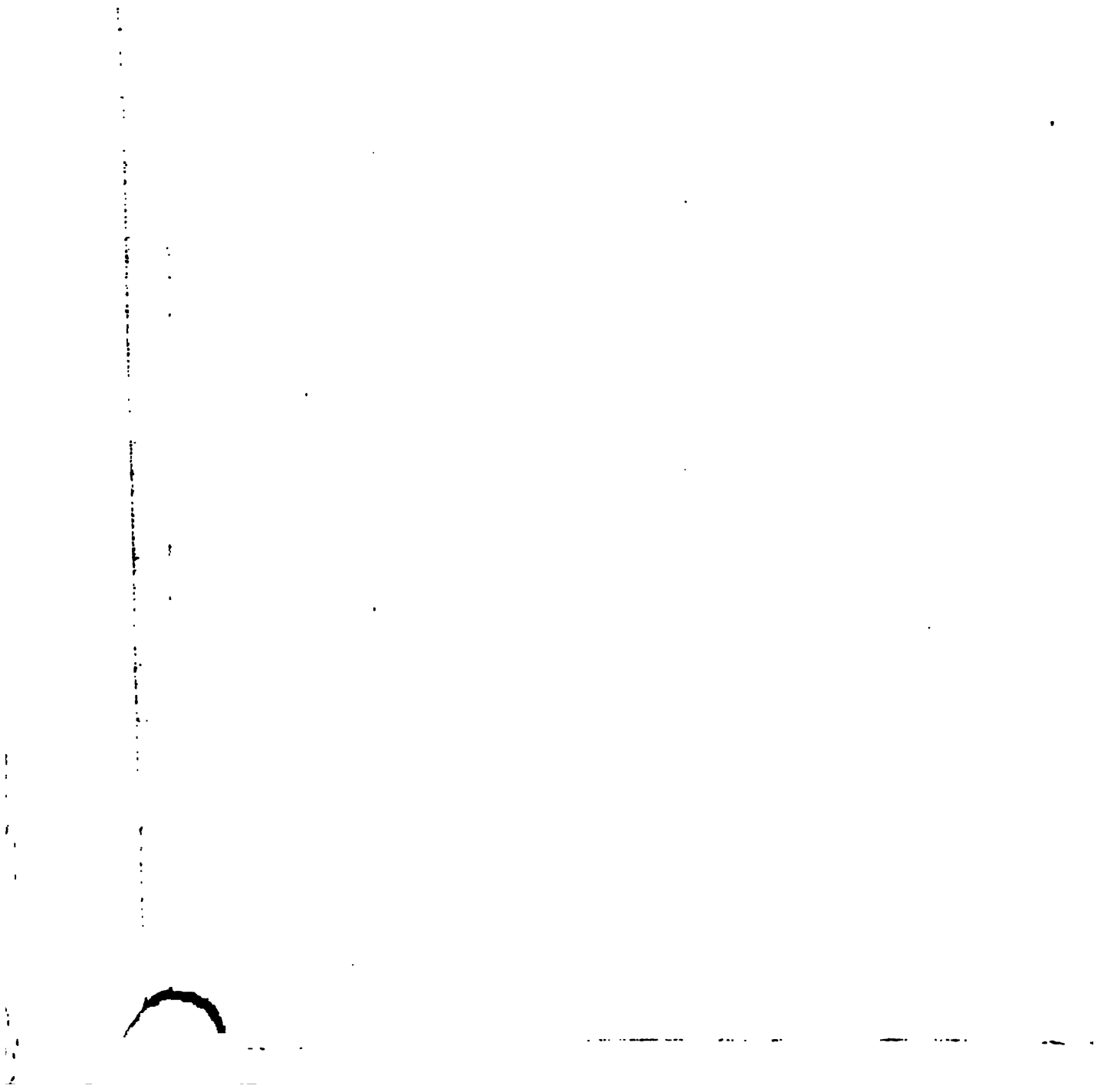
By the Lord Deputy.

216. Forasmuch as vpon His Majesties directions vnto vs by his letters of the 24th of August last, wee have licensed this bearer, Captaine William Stewart (Commander of a Foote Company of the leite Fleete that came from Cales), together with his officers, to departe this kingdome and to go into England, there to be disposed of in such imploiments as His Majesty shall please to appoint: Theis are therefore to will and require all and every His Majesties officers, mynisters and loveing subiects whatsoever, to take due notice thereof, and to affoord him the said Captaine Stewart the full benefitt of this our license; whereof they may not fayle: and for so doeing this shalbe a sufficient warrant: Given att His Majesties Castle of Dublin, the xxth of September 1627.

Jo. Veel.

Obligation by James Montgomerie, to Hugh Viscount Montgomerie of Airdes, his father. 30th January 1629.

217. Be it knowen to all men by these presentis, me, James Montgomery, secound lauchfull sone to ane noble lord, Hew Viscount Montgomery of Airdes: That wher as the Right Honorable Alexander Erle of Eglintoun, Lord Montgomery, etc., out of the speciall love and favour which he beiris to my said Lord and father, and to all ws that ar his childerene, hes bene pleased to honour ws by affording his Lordshipis panes and travell to sie a present setling of oure estaitis, to the better lyking of oure said father, and our gretar quyet and content: Wit yea thairfoir me, the said James Montgomery, by these presentis, not only to testifie that I am weill pleased with that prouisioun and estait which my said Lord and father hes alloittit vnto me now, bot also (out of the consideratioun and trust I have of the said noble Erle his love and favour) to be bund and obleist that I shall never seik, have nor crave, any farder of the landis and inheritances which my said father dois now reallie and actuallie possess, or hes richt and tytle to accleame, nor move



or proceid in any such purches frome my said father, or procuir, ather be my self or by any vtheris to my vse, ather in landis or in sowmes of money, by bandis fra his Lordship, for enlairging of my estait, to the burding, hurt or preiudice of his Lordshipis air, without the speciall advyse and consent of the said noble Erle, Alexander Erle of Eglintoun, first had and obtenit thairto: In witnes wherof I have heirto set my hand and seale, at Eglintoun, the penult day of Januar, the yeare of God I^{M} VI^{c} twentie nyne yeares.

Signed, subscryvit, and delyvered in presence of ws,

EGLINTOUN.

NEILL MONTGOMERIE of Langschaw.

J. S. GRINOK.

T. NEVIN of Monkridding.

J. MONTGOMERY.

PATRIK SCHAW off Kelsoland.

INDENTURE between Hugh Viscount Montgomerie of the Greate Ardes, and Alexander sixth Earl of Eglinton, 27th February 1630: [Lithographed].

218. THIS Indenture made the seavn and twenteth day of Februarie in the yeere of our Lord one thousand six hundred and thirty, betweene the right honorable Sir Hughe Montgomery, Knight, Lord Viscount Montgomery of the Greate Ardes, on the one parte, and the right honorable Alexander Earle of Eglinton in the kingdome of Scotland, on the other parte, witnesseth, that whereas the said Lord Viscount Montgomery, being discended of the honorable howse of the Earles of Eglinton within the said kingdome of Scotland, is most willing that hee and his heires should at all tymes for ever hereafter acknowledg the respect and duty which they owe to the honor of the said house: In consideration whereof, and for the naturall love and affection which hee, the said Lord Viscount Montgomery, hath to the sayd Alexander, nowe Earle of Eglinton, and his heires, the said Lord Viscount Montgomery, for him and his heires, doeth graunt, covenant, and agree to and with the said Alexander Earle of Eglinton, and his heires Earles of Eglintone, which shalbee of the name and surname of Montgomery, that the heire and heires of the said Lord Viscount Montgomery shall, in perpetuall remembrance of that love and dutie, freely giue and deliuer one faire horse of the value of thirty poundes of lawfull money of and in England, or thereabouts, to the said Alexander Earle of Eglinton and his heires, being of the surname of Montgomery, within the space of one yeare after the heire and heires of the said Lord Viscount Montgomery shall haue sued forth his or theire livery, and entred into theire mannors, lordshipps, landes and hereditaments, within the kingdoms of Ireland and Scotland; and the said Lord Viscount Montgomery, for himselfe, his heires and assignes, doeth couenant, promise and agree, to and with the said Alexander Earle of Eglinton and his heires. Earles of Eglinton, by theis presents, that vpon default of the deliuery of the said horse of the

said price of thirty poundes by the heire or heires of the said Lord Viscount Montgomery, made at the said tyme, contrary to the true intent and meaning of theis presents, that then it shall and may be lawfull vnto the said Alexander Earle of Eglinton and his heires, Earles of Eglinton, being of the surname of Montegomery, to siue for the same, together with the sume of fifteene poundes sterling of like money, nomine pene, for euery such default to bee made by the heires of the said Lord Viscount Montgomery, having first giuen due aduertisment and notice of theis presents vnto the heire by whome the default shall happen to be comitted as aforsaid: And the said Hugh Lord Viscount Montgomery doeth by theis presents, couenant, promise and agree, to and with the said Alexander Earle of Eglinton, that hee the said Lord Viscount Montgomery shall and will doe, make, acknowledge, finish and execute, all and euery such other reasonable act and acts, thing and things, conveyance and assurance in the lawe, for the good and perfect assurance and suerty for the deliuery of the said horse of the price aforesaid, according to the true meaning of theis presents, as by the said Alexander Earle of Eglinton shalbe reasonably devised or required, soe that the said Lord Viscount Montgomery bee not desired to travaile for the makeing or acknowledging of such assurance from his dwelling-house. In witnes whereof, the said partyes to theis presents haue herevnto interchangeablie putt theire hands and seales, the day and yeere first above written.

Sygned, sealled and deliuered in presens of

J. MONTGOMERIE. J. MONTGOMERIE, Senescall. MONTGOMERIE.
G. MONTGOMERIE. R. MONTGOMERIE, Minister of Newtowne.

INVENTORY of the JEWELS of Lady Anne Hamilton, the first wife of Hugh Lord Montgomerie, afterwards seventh Earl of Eglintoun, 24th October 1632.

Inventar of the Jowals belonging to my Lady Montgomerie, the tyme of her Ladyships deceis, the quhilk wer sein and heirin insert the 24th of October 1632.

219. IMPRIMIS, a great jowall given to her Ladyship be my Lady Eglinton, all sett with great diamonds, quhilk was gevin conditionallie that it sould remaine as ane jowall dedicat to the house of Eglintoun, and to the hopefull young lady, my Lady Anna Montgomerie her use, till the tyme of her mariage, if it sall please God.

Item, a great jowall in forme of a feather, all sett with great and small diamonds, given by my Lady Marqueis of Hamiltoun, her Ladyships mother, to her Ladyship, quhilk sould be furthcomming to the said hopefull lady, Lady Anna Montgomerie.

Item, a jowall in forme of ane S. with sixe diamonds and ane pearle, with twa emptie holls.

Item, ane other litle jowall in forme of ane anchor, with sevin diamonds.

Item, ane faire emrald sett in gold, in ovall forme, with ane pearle.

Item, a great diamond ring, conteining sevintein diamonds, great and small.

Item, a other diamond ring with foure diamonds, in forme of a crounit heart.

As for the outrige of my Lord's sone, Sir Alexander, Leivetennent-Colonell, he does not rekon the samen; nether yett his owne charges; since it wes incumbent to him to doe for the publik weill.

The nixt employment wes, that my Lord sould come to Dwnsse with his full supplie, by an lettre direct fra the Committee—Mr. Alexander Henrysone and Mr. Dauid Diksone, subscrivers thairof—beiring ether to bury thame or to helpe thame; quhairvpon the full supplie went furth. My Lord vsed als grit expedition as wes possible, who broght with him i^m^ foote and i^c^ gentlemen and baronnes, with ij^c^ yeamens with jack and speir. The yeamens wes appointed to joyne with Schir Henry, my Lord's sone, at Prestoun, where for the time he lay. Bot my Lord himselff, with the baronnes and gentlemen, lay at Westnisbit, all vpon my Lordis charges. As for the gentlemen, vpon ordors from the generall, did still attend the treaters of peace, both when they went and returned from his Majestie. The charge at this time, what by victuall and siluir to the sojors gevin furth to thame out of his owne, extendis to . . . . . 7000 merkis.

The names of the officers my Lord had at that time: — Leivetennent-Colonell Ritchiesone, Serjand Major Daniell Cwnynghame, Capitane Boyd, Leivetennent Buchane, Serjand Hay, Serjand Hesilheid, Serjand Petticruc and Serjand Johne Galt. At their returne from Dwnsse and doun sitting of the Parliament, it wes ordaned that everie nobleman sould provid 1000 lib., to be givin to their officeris for releiff of the publik, vpoun promise that the samen sould be repayed; whiche wes givin furth to the saids officers — viz., Leivetenent-Colonell Ritchiesone, Serjand-Major Cwnynghame, Capitane George Boyd, Leivetenent Buchane, and to the Leivetenent of horse who wes with my sone, Schir Henry, called Cristopher Womser, Dutchman, and to the four Serjands, Hay, Hesilheid, Galt and Petticruc . . . . . 1500 merkis.

The thrid expedition wes the outrik of 400 men for my Lord's squader, commanded by my sone Schir Alexander as Leivetennent-Colonell, haveing Capitane Muire and Capitane Blair for their outrike with thame. To everie Capitane their wes advanced by my Lord 100 lib. To three Leivetenents, 200 lib. To three ensigney beirars, 150 merkis; and to the vnder officers equivalent to this proportion, 250 merkis; and that by and attour 7000 merkis borrowed to the sojors for their fourtie dayes loane, whiche will extend to 12 lib. to ilk sojor — extending in haill to . 8000 merkis. and this by and attour my Lordis sone, Schir Alexander, whiche my Lord compts not.

Item, fra the time of the allowance of the publiks tua moneths pey for December and Januar 1639, and fra thence being 16 moneths pey to Major Huchesone, 200 merkis in the monethe, peyed by my Lord himselff, extends to . . . 3200 merkis.

Item, to Capitane Buchane for 18 moneths pey . . . . . 1800 merkis.
Item, to Capitane Boyd . . . . . 1800 merkis.
Item, to four serjands for their 18 moneths pey, at 18 lib. in the moneth . . 1944 merkis.
Item, to Thomas Gibsone, drummer-major, for tuo yeares pey . . . . . 648 merkis.
Item, to Johne Garvane, gwnner, for four moneths pey . . . . . 300 merkis.
Item, my Lord gave to James Colquhoun for his paines at the ship, by ordour from the publick, whiche he will not rekone.
Item, he sent over boats and men for intelligence from Ireland, when the armie lay on that sid, whiche he compts not.
Item, he caused cut trees and mak pikis to the cuntrey, whiche he does not compt.
Item, his owne paines and charges in going throw the cuntrey, whiche he does not compt.
Item, their is awand my Lord by the publict 1500 dollers, as being tuo dollers for everie sojor that went over to Ireland in my Lord's regiment, whiche sojors wer at the expeditioun in Ingland — inde . . . . . 6075 merkis.
Farder, their is restand awand to my vmquhile sone, Schir Alexander, ane capitanes pey for the space of twell moneths (by and attour his Leivetenent-Colonellis pey), whiche is allowed by the Parliament, extending to 100 lib. monethly — inde . 1800 merkis.

Summa . 48717 merkis.

For the greatest pairt of the whilk haill soumes my Lord hes peyed anuelrent vpoun bands thir three yeares bygaine; and hes nevir ressaved any thing aff the publik, saifand i^m^ biscat at Dwnsse, fra an Gilbert Muire.

Primo Martij 1643.

This compt being red in a full meitting, in presence of the Commissioners, thei declair, that quhen the rest of the expenss and loiss of the kingdome of this kynd, and for the zeir 1639, salbe takin in consideratioun, thei will considder of thir accomptis with the first of that kynd.

BALMERINO, I. P. D.

APPOINTMENT of Hugh Lord Montgomery to occupy the Castle of Tynemouth.

At Newcastle, 15th September 1640.

221. THESE appoint the Lord Montgomery to lodge in the castell of Tinmouthe, and to keep watche therein, and doe all deuty requisite.

Item, to caus assist the searchear there; and to appoint tuentie four or moe musquetiers to wait vpon him for arresting the ships who will not doe dewty.

It is appointed that his Lordship sall have two keills and a wheery to wait vpon his regiment at all occasiones, and to be at all places where he sall appoint.

Mr. A. GIBSONE, Durie.
P. WEDDERBURNE.
G. PORTERFEILD.
D. HOME.
ROTHES, CASSILLIS, LOTHIAN, LINDESAY,
PATRIK HEPBURNE of Wauchtune.

TESTAMENT of Sir Henry Montgomerie of Giffine, 23rd December 1642.

222. WHEN ever it shall plais His Devein Majesty of his marcei to call oupon me to lay doune this tabernaikell of klay, my will is, that my deir hairt shall be only and soll execoutriks of all my mouvableis whattsoumever, or that cane or may belonge to en foull execoutriks; and leikwais to haue oupleift and disspone annay frei mony I haue paien annay leittett; Item, that is auine; and that allso all the heidis of hir contraik of mariagis and mein be foully and thankfoully keipet and performed in everi point and heid by my frinds; and wills that thir presents be regestrat in the Commissars boukis, if shee shall find it nidfoull; and also, I baig att my Lord my deir father's hands, that, as he loved mee, to be keind and loveing to my deir hairt: Wreitten and soubcreived with my hand, att Edenbrought, the 23 of Desember, the yeir of God 1642.

GIFFINE.

COMMISSION by Alexander Earl of Leven, to Captain Robert Montgomery, 26th February 1644.

Alexander Earle of Leuen, Lord Balgonie, Generall of the Scottish Armies in England and Ireland.

223. WHEREAS the office and place of Serieant Maior to that Regiment belonging of before to the Rycht Honorable the Earle of Eglintoun, and now conferred vpon his Lordship's second sonne, Colonell James Montgomry, emploied in the seruice against the Rebells in Ireland in that army under our command, doeth now vaik; and being suficientlie assured of the abilety and qualeficcation of Captaine Robert Montgomery, sonne to the said Earle; wee doe hereby nominat and appoint him to be serieant maior to the said regement: Geveing and granting vnto him full power and commission to doe, vse and exerce the said office as fullie and freely to the said regement, as any other serieant maior within the army: For doeing whereof this shal be a sufficient warrant and commission: Geven at Newton in Northumberland, the 26th day of February 1644.

Leuen

DECLARATION by the Committee of Estates, that the Lords Montgomerie, Livingstone, and Sinclare, had no dealings with the Enemy, 29th January 1646.

24. AT St. Andrews, the twintie nyne day of Januarii, 1646 yeirs: Forsameikle as the Committee [of] Estaits haveing receaved informatioune from thair Commissioners at London of some jealousies conceaved by many members of both houses of the Parliament of England, vpon the perusall of letters found in the King and Lord Digbie's cabinets, which did reflect vpon some persons in the Scots army, as if their had been vnderhand dealing betwixt them and the King; and the Lords Montgomerie, Livingstone and Sinclare be the persons mentionat in the saids letters, they did wryt to the Lord Generall his Excellency, to command the saids Lords Livingstone and Sinclair, who wer then with the army, to repair into this kingdome, and appeare befor the Parliament for cleiring thameselffs theroff; and ordaines the Lord Montgomerie, who was then at Glasgow, to be present also at Parliamint for the effect foirsaid: And accordingly, the Lords Montgomerie, Livingstone and Sinclair having maid thair addresse hither, and for some tyme waited for tryall, a committee was appoynted to take consideratioune of the saids intercepted letters, and to examine the saids noblemen; who having accordingly mett and interrogated and examined thame, and every one of the thrie, vpon oath, in every particular of thair cariage, and of all papers or addresses which past betwixt thame and any persons in the Kings armyes, they maid report theroff to the honorabill estaits in Parliament; who taking the same in thair consideratioun, and being weill advised thairwith, they cannot find that the saids Lords Montgomerie, Livingstone or Sinclair, or any of thame, have had any secret dealing with the enemie, to the prejudice of the cause, or contrair to the articles of militarie discipline: And thairfoir exoneres and fries thame of any challenge which can be grounded vpon any of the foirsaids intercepted letters, and allowis thame to repair vnto and attend thair severall charges in the army and places of Parliament respectiue: Extracted furth of the books and records of Parliament by me, Sir Alexander Gibsone of Durie, Knight, Clarke of His Majesties Register and Rolls, vnder my signe and subscriptioune manuall.

[Sic subscribitur] ALEX. GIBSONE, Cls. Regri.

HOUSEHOLD ACCOUNT of Alexander sixth Earl of Eglintone for ale and wine, whilst resident in Edinburgh, in 1646 and 1647.

Nicoll Knox, Stewart to the Erle of Eglintone, his discharge begun wpon Weddensday the 25 of November 1646, quhen my Lord and his quholl familie came to Edinburgh.

Compt of aill.

225. ITEM, the forsaid day for ane quart . . . . . 4s. 0d.
Item, for ane other quart . . . . . 3s. 4d.

Item, for ane other quart at 4 houris	3s. 4d.
Item, to zour Lordship's supper, 4 pyntis	8s. 0d.
Mair, 4 quartes of other aill	13s. 4d.
Item, for a pynt of beare	2s. 0d.
Item, to the collations, 2 pyntis	3s. 4d.
Thursday, the 26 day, to your Lordship's morning drink. a pynt	2s. 0d.
Item, for my Ladies morning drink, 1 pynt	2s. 0d.
Item, to your Lordship's denner, 2 pynts	4s. 0d.
Mair, 3 pyntis	5s. 0d.
Item, to the letter meal, 2 pyntis	3s. 4d.
Item, efter denner, 1 pynt	1s. 8d.
Item, at 4 houres, 1 pynt	2s. 0d.
Item, ane other pynt	1s. 8d.
Item, to your Lordship's supper, 3 pyntis	5s. 0d.
Item, to the letter meal, 3 pyntis	5s. 0d.
Item, to the collatione, 2 pyntis	4s. 0d.
Frydday, the 27 day, to brekfast, 2 pyntis	4s. 0d.
Mair, 3 pyntis of other aill	5s. 0d.
Item, to denner, 2 quartis	6s. 8d.
Item, to supper, 2 pyntis	4s. 0d.
Item, mair for 4 quartis	13s. 4d.
Item, to the collations, 2 pyntis	3s. 4d.
Saterday, the 28 of November, to brekfast, 3 pyntis aill	5s. 0d.
Item, ane other pynt	2s. 0d.
Item, to the gentlemen's brekfast, 1 pynt	1s. 8d.
Item, between denner and brekfast, 1 pynt	1s. 8d.
Item, to the collation, 1 pynt	1s. 8d.
Item, to denner, 2 pyntis	4s. 0d.
Mair, 4 pyntis	5s. 8d.
Item, at 4 houris, 1 pynt	2s. 0d.
Item, at supper, 4 pyntis	8s. 0d.
Item, 2 quartis of other aill	6s. 8d.
Item, to the collatione, 2 pyntis	3s. 4d.
Sonday, the 29 day, to brekfast 2 pyntis	3s. 4d.
Item, to denner, 2 pyntis	4s. 0d.
Item, of other aill, 3 pyntis	5s. 0d.
Item, at 4 houris, 1 pynt	2s. 0d.
Item, to supper, 3 quartis	10s. 0d.

Mononday the last day, to brekfast, 3 pyntis	5s. 0d.
Item, to denner, 5 pyntis	8s. 4d.
Item, to supper, 4 pyntis	6s. 8d.
Item, to collatione, 1 pynt	1s. 8d.
Item, Tuysday the 1 of December, to brekfast, 2 pyntis	3s. 4d.
Item, to denner, 2 pyntis	3s. 4d.
Saterday the 12 day, 2 pyntis	3s. 4d.
Sonday the 13 day at 4 hours, 1 pynt aill	1s. 8d.
To collatione, 1 pynt	1s. 8d.
Mononday the 14 day, to brekfast, 1 pynt	1s. 8d.
Item, to denner, 1 pynt	1s. 8d.
Item, at four houris, 1 pynt	1s. 8d.
Item, at supper, 1 pynt	1s. 8d.
Weddensday the 30 day, to denner, 3 pyntis	2s. 8d.
Item, to supper, 1 pynt	1s. 8d.
Friday, the 1 of Januar 1647—	
Item, for a pynt of aill in the morning	1s. 4d.
Item, a chopin to seath a codline	0s. 8d.
Saterday the 2 day, for a chopin to seath a codline	0s. 8d.
Sonday the 3 day, for 3 chopins to Georg Montgomries and Georg Welshes denner, to be sops and to drink	2s. 0d.
Item, Sonday the 10 day, 2 pyntis aill	4s. 0d.
Tuysday the 26 day, for 2 pyntis	3s. 4d.
Item, to supper, 2 pyntis	3s. 4d.
Weddensday the 27 day, 1 pynt aill	2s. 0d.
Item, the 3 of Februar, to supper, 3 chopins of aill	2s. 0d.
Item, the 15 day, to supper, 1 pynt	0s. 16d.
Item, the 18 day, to supper, 2 pyntis	6s. 0d.
Frydday the 19 day, to denner, 2 pyntis	6s. 0d.
Item, to supper, 2 pyntis	6s. 0d.
Saterday the 20 day, to supper, 2 pyntis of aill	6s. 0d.
Sonday the 21 day, 1 pynt aill	3s. 0d.
Tuysday the 23 day, to supper, 1 pynt of aill	3s. 0d.
Weddensday the 24 day, to denner, 1 pynt of aill	3s. 0d.
Thursday the 25 day, to denner, 5 pyntis of aill	15s. 0d.
Tuysday the 30 of March, for two pynts of aill	4s. 0d.
Mair, for a pynt of aill	3s. 0d.
Mononday the 3 of Maii, for 2 pyntis of aill	3s. 4d.

The compt of the Laidis of aill ressauet be Nicol Knox, stewart, since the 25 of November 1646.

Imprimis, ressauet be him on the 27 of November 1646, out of Lugtone	i laid.
Item, the 2 of December, from that	i laid.
Item, ressauet from Androw Lawder in Melvingmilne be him, the 28 of November,	ii laids.
Item, the 5 of December from him	ii laids.
Item, the 12 day	ii laids.
Item, the 19 day	ii laids.
Item, the 2 of Januar 1647	ii laids.
Item, the 4 day	i laid.
Item, the 9 day	ii laids.
Item, the 16 day	ii laids.
Item, the 23 day	ii laids.
Item, the 30 day	ii laids.
Item, the 6 of Februar	ii laids.
Item, the 13 day	ii laids.
Item, the 20 day	ii laids.
Item, the 26 day	ii laids.
Item, the 30 day	i laid.
Item, the 8 of March	ii laids.
Item, the 13 day	ii laids.
Item, the 17 day	i laid.
Item, the 20 day	ii laids.
Item, the 24 day	i laid.

Compt of all beare furnishet out of Sir William Dick his societie, and ressauet be Nicoll Knox, stewart, begun the 25 of November 1646.

Item, on the 1 of December 1646, of small bair	ii buns.
Item, the 9 of December	i bun.
Item, the 16 day	iii buns.
Item, the 22 day	iii buns.
Item, the 9 of Januar 1647	iii buns.
Item, the 22 day	ii buns.
Item, the 23 day	ii buns.
Item, the 13 day of Februar	ii buns.
Item, the 26 day	ii buns.
Item, the 9 of March	ii buns.
Item, the 18 day	ii buns.

Compt of wyne.

Item, the 25 of November 1646, the quhilk day my Lord came to Edinburgh, for a chopine of seck	12s. 0d.
Item, at supper a chopen of new wyne	6s. 8d.
Item, for ane hundreth chesnutes	12s. 0d.
Thursday the 26 day, at morne, a muchkine of new wyne	3s. 4d.
Item, at denner, 1 muchkine seck	6s. 0d.
Item, 1 chopine of new wyne	6s. 8d.
Item, to the supper, i muchkine seck	6s. 0d.
Item, a chopine of whyt wyne	6s. 8d.
Fryday the 27 day, to brekfast, i muchkine seck	6s. 0d.
Mair, ane chopine of wyne	6s. 8d.
Item, to denner, a chopine	6s. 8d.
Item, a muchkine seck	6s. 0d.
Item, to supper, a chopine wyne	6s. 8d.
Item, a muchkine seck	6s. 0d.
Saterday the 28 day, at morne, i muchkine wyne	3s. 4d.
Item, at denner, i chopine wyne	6s. 8d.
Item, i muchkine seck	6s. 0d.
Item, at supper, i chopine wyne	6s. 8d.
Item, a muchkine seck	6s. 0d.
Item, at collatione, i muchkine seck	6s. 0d.
Item, Sonday the 29 day, i chopine wyne	6s. 8d.
Item, Mononday the last day, to brekfast, i muchkine wyne	3s. 4d.
Mair, out of John Lithiane, i muchkine	3s. 4d.
Item, to denner, i muchkine	3s. 4d.
Item, to supper, i chopine	6s. 8d.
Item, Tuysday the 1 of December, to brekfast, i muchkine seck	6s. 0d.
Item, to denner, i chopine wyne	6s. 8d.
Item, to supper, i chopine wyne	6s. 8d.
Mair, i muchkine seck	6s. 0d.
Weddensday the 2 of December, to denner, i chopine wyne	6s. 8d.
Item, at 4 houris my Ladie Zester and Ladie Balcleughe, with your Ladie, i chopine,	6s. 8d.
Item, at supper, i muchkine seck	6s. 0d.
Item, Thursday the 3 day, i chopine wyne	6s. 8d.
Item, to denner, i muchkine seck	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.

Fryday the 4 day, i muchkine seck	6s. 0d.
Mair, i chopine wyne	6s. 8d.
Item, to supper, i muchkine seck	6s. 0d.
Saterday the 5 day, i muchkine seck	6s. 0d.
Mononday the 7 day, i chopine wyne	6s. 8d.
Item, at supper, my Lord and my Ladie Zester supping with your Lordship, i pynt wyne	13s. 4d.
Tuysday the 8 day, to supper, i chopine wyne	6s. 8d.
Weddensday the 9 day, to denner, i chopine wyne	6s. 8d.
Item, to supper, i chopine	6s. 8d.
Item, Thursday the 10 day, to denner, i chopine wyne	6s. 8d.
Fryday the 11 day, to denner, i muchkine wyne	3s. 0d.
Item, to supper, i chopine	6s. 0d.
Saterday the 12 day, to denner, iii muchkines wyne	9s. 0d.
Item, to supper, i chopine	6s. 0d.
Sonday the 13 day, to denner, i muchkine wyne	3s. 0d.
Item, to supper, i muchkine	3s. 0d.
Mononday the 14 day, i muchkine wyne	3s. 0d.
Tuysday the 15 day, to denner, i chopine wyne	6s. 0d.
Item, to supper, i chopine	6s. 0d.
Weddensday the 16 day of December, to denner, i muchkine wyne	3s. 0d.
Item, to supper, i chopine	6s. 0d.
Item, Thursday the 17 day, to denner, i muchkine wyne	3s. 0d.
Item, to supper, i chopine	6s. 0d.
Frydday the 18 day, to brekfast, i muchkine wyne	3s. 0d.
Item, to denner, i chopine	6s. 0d.
Item, to supper, i chopine	6s. 0d.
Saterday the 19 day, to denner, i chopine wyne	6s. 0d.
Item, to supper, i chopine	6s. 0d.
Sonday the 20 day, to supper, i chopine	6s. 0d.
Mononday the 21 day, to denner, i chopine	6s. 0d.
Item, to supper, i chopine	6s. 0d.
Item, Tuysday the 22 day, i muchkine seck	6s. 0d.
Item, a chopine wyne	6s. 0d.
Item, at supper, i muchkine seck	6s. 0d.
Mair, a chopine wyne	6s. 0d.
Weddensday the 23 day, i chopine wine to denner	6s. 0d.
Item, a muchkine seck to super	6s. 0d.

Mair to supper, i chopine wyne	6s. 0d.
Thursday the 24 day, to super, i chopine wyne	6s. 0d.
Mair, a muchkine seck	6s. 0d.
Fryday the 25 day, to denner, my Lord Zester and the maister with zour Lordship, i chopine seck	12s. 0d.
Mair, i chopine wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, efter super, i muchkine seck	6s. 0d.
Item, Saterday the 26 day, to denner, i pynt seck	24s. 0d.
Item, i chopine wyne	6s. 0d.
Item, to supper, 3 muchkine seck	18s. 0d.
Item, a chopine wyne	6s. 0d.
Sonday the 27 day, a chopine wyne to supper	6s. 0d.
Mair, i muchkine seck	6s. 0d.
Efter supper, i muchkine half muchkine of seck	9s. 0d.
Mononday the 28 day, to denner, i chopine seck	12s. 0d.
Item, a chopine wyne	6s. 0d.
Item, to supper, i chopine	6s. 0d.
Item, Tuysday the 29 day, to denner, i chopine seck	12s. 0d.
Mair, i chopine wyne	6s. 0d.
Item, efter supper, i muchkine seck	6s. 0d.
Weddensday the 30 day, i muchkine seck in the morning	6s. 0d.
Item, to denner, i chopine wyne	6s. 0d.
Item, to super, i chopine seck	12s. 0d.
Item, Thursday the 31 day, to denner, i chopine seck	12s. 0d.
Item, a chopine wyne	6s. 0d.
Fryday the i of Januar 1647, for i chopine seck	12s. 0d.
Mair, at supper, i chopine seck	12s. 0d.
Saterday the 2 day, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, to supper, i pynt seck	24s. 0d.
Item, a chopine wyne	6s. 0d.
Sonday the 3 day, to denner, i chopine seck	12s. 0d.
Item, to supper, i chopine wyne	6s. 0d.
Mononday the 4 day, to denner, i chopine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, to supper, i chopine seck	12s. 0d.

Tuysday the 5 day, to denner, i muchkine seck	6s. 0d.
Item, a chopine wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, i pynt wyne	12s. 0d.
Item, to the tostis, i muchkine wyne	3s. 0d.
Weddensday the 6 day of Januar 1646, to Colonel Robert his collops, half muchkine wyne	1s. 6d.
Item, to denner, i muchkine seck	6s. 0d.
Item, a muchkine wyne	3s. 0d.
Item, at 4 hours, i muchkine seck	6s. 0d.
Item, to the Colonel his minshit meat and tostis to his supper, a chopine old wyne	3s. 0d.
Item, to zour Lordship's supper, i muchkine wyne	3s. 0d.
Thursday the 7 day, for half muchkine of wyne, Colonel's cadill	1s. 8d.
Item, mair to him, a muchkine wyne	3s. 0d.
Item, at denner, my Lord Balcleugh with zour Lordship, i chopine seck	12s. 0d.
Item, 3 muchkines wyne	9s. 0d.
Item, at supper, my Lord Couper with zour Lordship, i chopine seck	12s. 0d.
Item, a muchkine wyne	3s. 0d.
Friday the 8 day, half muchkine wyne to Colonel Robert	1s. 6d.
Item, to denner, i muchkine seck	6s. 0d.
Item, to supper to the cook, a muchkine and ane half of wine	4s. 6d.
Item, to the buird, i chopine seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Saterday the 9 day, to denner, i chopine seck	12s. 0d.
Mair, i chopine wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Sonday the 10 day, in the morning, i muchkine seck	6s. 0d.
Item, to denner, i chopine wyne	6s. 0d.
Item, at 4 houris, i chopine wyne	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, a chopine wyne	6s. 0d.
Mononday the 11 day of Januar, at morne, i muchkine wyne	3s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, to Colonel Robert's supper, half muchkine wyne	1s. 6d.
Tuysday the 12 day, to Colonel [Robert] in the morning, half muchkine wyne	1s. 6d.
Item, for a chopine seck	12s. 0d.

Item, to denner, to the tostis, i muchkine wyne	3s. 0d.
Item, to the buird, i chopine seck	12s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Weddensday the 13, i muchkine seck to denner	6s. 0d.
Item, i chopine wyne	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Thursday the 14, to brekfast, i muchkine seck	6s. 0d.
Item, to denner, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Fryday the 15, to denner, i chopine seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Saterday the 16 day, in the morning, i chopine seck	12s. 0d.
Item, to denner, i muchkine seck	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Sonday the 17 day, to zour Lordship's supper, i muchkine seck	6s. 0d.
Item, i muchkine wyne	3s. 0d.
Mononday the 18 day, to denner, i chopine seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, efter supper, i muchkine seck	6s. 0d.
Item, Tuysday the 19 day, to denner, i pynt of seck	1lib. 4s. 0d.
Item, for a chopine Frenshe wyne	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Weddensday the 20 day, to brekfast, i muchkine seck	6s. 0d.
Item, to denner, i muchkine seck	6s. 0d.
Item, at 4 houris, i muchkine seck	6s. 0d.
Item, to supper, i muchkine seck	6s. 0d.
Item, efter supper, i muchkine seck	6s. 0d.
Thursday the 21 day, at morne, i muchkine seck	6s 0d.
Item, to denner, i chopine seck	12s. 0d.
Item, a muchkine clairet wyne	3s. 0d.
Fryday the 22 day, to denner, i muchkine seck	6s. 0d.
Item, to 4 hours, i muchkine seck	6s. 0d.

Saterday the 23 day, in the morning, i muchkine seck	6s. 0d.
Item, to denner, i chopine seck	12s. 0d.
Item, for a muchkine of clairet wyne	3s. 0d.
Item, efter supper, i chopine seck	12s. 0d.
Sonday the 24 day, i muchkine of seck to denner	6s. 0d.
Item, efter supper, i muchkine seck	6s. 0d.
Item, Mononday the 25 day, to zour Lordship's supper, a chopine seck	12s. 0d.
Item, a muchkine clairet wyne	3s. 0d.
Tuysday the 26 day, to denner, i chopine seck	12s. 0d.
Item, a chopine clairet wyne	6s. 0d.
Item, to the kitching, i muchkine of wyne	3s. 0d.
Mair, the said 26 day of Januar, to supper, i chopine seck	12s. 0d.
Item, for 3 muchkines of clairet wyne	9s. 0d.
Weddensday the 27 day, to brekfast, i muchkine seck	6s. 0d.
Item, to denner, i pynt of wyne	12s. 0d.
Item, to supper, i chopine of seck	12s. 0d.
Item, a chopine Frenshe wyne	6s. 0d.
Item, for a muchkine of wyne to be tosties	3s. 0d.
Item, Thursday the 28 day, for a muchkine of seck	6s. 0d.
Item, for a chopine wyne	6s. 0d.
Saterday the 30 day, to denner, i muchkine seck	6s. 0d.
Item, at 4 hours, i chopine wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, for a muchkine wyne	3s. 0d.
Sonday the last day, to denner, i chopine wyne	6s. 0d.
Item, to supper, 3 muchkines seck	18s. 0d.
Mononday the 1 of Februar 1647, to denner, i chopine seck	12s. 0d.
Item, a muchkine clairet wyne	3s. 0d.
Item, at 4 houris, i chopine wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, Tuysday the 2 day, to brekfast, i muchkine of seck	6s. 0d.
Item, to denner, i chopine seck	12s. 0d.
Item, a muchkine Frensh wyne	3s. 0d.
Item, a wyne seller of seck of 14 glasses, conteaining in them 10 pyntis 3 muchkines of seck, 24s. the pynt	12 lib. 18s. 0d.
Weddensday the 3 day, to supper, i chopine clairet wyne	6s. 0d.
Thursday the 4 day, to zour Lordship's denner, i chopine clairet wyne	6s. 0d.
Item, to supper, i chopine wyne	6s. 0d.

Frydday the 5 of Februar 1647, to sour Lordship's denner, i pynt wyne	12s. 0d.
Saterday the 6 day, to denner, i chopine wyne	6s. 0d.
Item, to supper, i muchkine of wyne	3s. 0d.
Sonday the 7 day, to supper, i muchkine of wyne	3s. 0d.
Mononday the 8 day, to denner, i muchkine of wyne	3s. 0d.
Item, to supper, i chopine of wyne	6s. 0d.
Item, efter supper, i muchkine of wyne	3s. 0d.
Tuysday the 9 day, to denner, i chopine of wyne	6s. 0d.
Weddensday the 10 day, to denner, i chopine of wyne	6s. 0d.
Item, to the kitching, half muchkine of wyne	1s. 6d.
Item, for a chopine of old wyne to the tosties to supper	3s. 0d.
Item, to the table, i chopine of wyne	6s. 0d.
Thursday the 11 day, for a chopine of wyne to denner	6s. 0d.
Item, Frydday the 12 day, for a chopine of wyne to denner	6s. 0d.
Saterday the 13 day, to denner, i chopine of wyne	6s. 0d.
Item, for a muchkine of seck to denner	6s. 0d.
Item, to supper, i chopine of seck	12s. 0d.
Item, for a chopine of wyne	6s. 0d.
Sonday the 14 day, to brekfast, i chopine of seck	12s. 0d.
Item, to denner, i chopine of wyne	6s. 0d.
Item, to supper, i chopine of seck	12s. 0d.
Item, a chopine wyne	6s. 0d.
Mononday the 15 day of Februar, in the morning, a chopine seck	12s. 0d.
Item, to denner, i chopine seck	12s. 0d.
Item, for a chopine of wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a chopine Frensh wyne	6s. 0d.
Tuysday the 16 day, to denner, i chopine seck	12s. 0d.
Item, a chopine Frensh wyne	6s. 0d.
Item, efter denner, for 10 pyntis and 3 muchkines of seck, to fill the seller with,	12 lib. 18s. 0d.
Item, to supper, 3 muchkines of wyne	9s. 0d.
Weddensday the 17 day, to denner, for a chopine of wyne	6s. 0d.
Item, to supper, a chopine of wyne	6s. 0d.
Thursday the 18 day, for a chopine of wyne to denner	6s. 0d.
Item, to supper, i chopine of wyne	6s. 0d.
Item, Frydday the 19 day, to denner, i chopine of wyne	6s. 0d.
Item, Saterday the 20 day, to supper, i chopine of wyne	6s. 0d.
Item, Sonday the 21 day, to supper, i chopine of wyne	6s. 0d.

Tuysday the 23 day, to denner, i chopine of wyne	6s. 0d.
Item, to supper, i chopine of wyne	6s. 0d.
Weddensday the 24 day, to denner, i chopine of wyne	6s. 0d.
Thursday the 25 day, for a pynt of wyne to denner	12s. 0d.
Item, i chopine seck	12s. 0d.
Frydday the 26 day, to denner, i chopine seck	12s. 0d.
Item, ane chopine of wyne	6s. 0d.
Saterday the 27 day of Februar, to denner, i muchkine of seck	6s. 0d.
Item, for a muchkine of wyne	3s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a muchkine of wyne	3s. 0d.
Sonday the 28 day, to supper, i chopine of wyne	6s. 0d.
Item, a chopine seck	12s. 0d.
Item, Mononday the i of March, to denner, a chopine of wyne	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a muchkine of wyne	3s. 0d.
Tuysday the 2 day, to denner, i chopine seck	12s. 0d.
Item, a chopine wyne	6s. 0d.
Item, to supper, a chopine seck	12s. 0d.
Item, mair for a pynt of whyte wyne to be caddell	24s. 0d.
Weddensday the 3, to denner, a muchkine of seck	6s. 0d.
Item, i muchkine of wyne	3s. 0d.
Item, befor supper, i chopine seck	12s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a chopine wyne	6s. 0d.
Thursday the 4 day, to denner, i chopine of seck	12s. 0d.
Item, a muchkine of wyne	3s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a muchkine of wyne	3s. 0d.
Frydday the 5 day, to denner, i muchkine seck	6s. 0d.
Item, to supper, 3 muchkines seck	18s. 0d.
Saterday the 6 day, to denner, i muchkine of seck	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Sonday the 7 day, at 4 hours, i chopine seck	12s. 0d.
Item, to supper, i muchkine of wyne	3s. 0d.
Mononday the 8 day of March, to denner, i muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Item, to supper, i muchkine of seck	6s. 0d.

Item, a muchkine of wyne	3s. 0d.
Tuysday the 9 day, to denner, a chopine seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, to four hours, i muchkine seck	6s. 0d.
Item, to supper, i chopine seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, efter supper, i chopine seck to Thomas Scot	12s. 0d.
Weddensday the 10 day, to denner, i muchkine of seck	6s. 0d.
Item, a muchkine of Frensh wyne	3s. 0d.
Item, to my Lord Montgomerie's denner, i muchkine seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Item, to supper, i chopine wyne	6s. 0d.
Item, a muchkine of seck	6s. 0d.
Item, efter supper, to Thomas Scot, i chopine seck	12s. 0d.
Thursday the 11 day, to denner, i chopine of seck	12s. 0d.
Item, i chopine wyne	6s. 0d.
Item, at 4 hours, a chopin seck	12s. 0d.
Item, to supper, a chopine of wyne	6s. 0d.
Frydday the 12 day, in the morning, to Thomas Scott, i muchkine of seck	6s. 0d.
Item, to denner, i muchkine of seck	6s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, to supper, i pynt wyne	12s. 0d.
Item, a chopine of seck	12s. 0d.
Item, after supper, i muchkine seck	6s. 0d.
Saterday the 13 day, for muchkine of seck to brekfast	6s. 0d.
Item, for muchkine of seck to Thomas Scot	6s. 0d.
Item, to denner, i muchkine of seck	6s. 0d.
Item, for a chopine of wyne	6s. 0d.
Item, efter denner, i chopine of seck	12s. 0d.
Item, to supper, i chopine of seck	12s. 0d.
Item, for a muchkine of wyne	3s. 0d.
Sonday the 14 day, to supper, i chopine of seck	12s. 0d.
Mononday the 15 day, to brekfast, ane chopine of seck	12s. 0d.
Item, to Thomas Scot, a mutchkine of wyne	3s. 0d.
Item, to denner, a chopine of wyne	6s. 0d.
Item, a muchkine of seck	6s. 0d.
Item, to supper, a choppen of seck	12s. 0d.
Item, ane chopine of wyne	6s. 0d.

Tuysday the 16 day, to brekfast, a muchkine of seck	6s. 0d.
Item, to denner, a muchkine of seck	6s. 0d.
Item, 3 muchkines of wyne	9s. 0d.
Item, to supper, a chopine of seck	12s. 0d.
Item, for a chopine of wyne	6s. 0d.
Weddensday the 17 day, to denner, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, to supper, a muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Thursday the 18 day, to brekfast, a muchkine of wyne	3s. 0d.
Item, to denner, a pynt of seck	24s. 0d.
Item, a chopine of wyne	6s. 0d.
Fryday the 19 day, at morne, a muchkine of wyne	3s. 0d.
Item, to denner, a muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Item, at 4 hours, a muchkine of wyne	3s. 0d.
Item, to supper, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, Saterday the 20 day, to brekfast, a muchkine of seck	6s. 0d.
Item, to denner, a muchkine of wyne	3s. 0d.
Item, a muchkine of seck	6s. 0d.
Item, to supper, a chopine of seck	12s. 0d.
Item, Sonday the 21 day, to brekfast, a chopine of seck	12s. 0d.
Item, to supper, a muchkine of seck	6s. 0d.
Item, Mononday the 22 day, to denner, a pynt of seck	24s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, to supper, a chopine of seck	12s. 0d.
Tuysday the 23 day, to denner, a muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Item, to supper, a muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.
Weddensday the 24 day, to brekfast	
To brekfast, a muchkine of wyne	3s. 0d.
Thursday the 25 day, to denner, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Item, efter denner, a muchkine of seck	6s. 0d.
Fryday the 26 day, to denner, a muchkine of seck	6s. 0d.
Item, a muchkine of wyne	3s. 0d.

Item, to supper, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Saterday the 27 day, to denner, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Sonday the 28 day, to supper, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Mononday the 29 day, to denner, a muchkine of seck	6s. 0d.
Tuysday the 30 day, a muchkine of seck	6s. 0d.
Item, at 4 hours, a muchkine of seck	6s. 0d.
Item, to supper: my Lord and my Ladie Zester's being at supper, a chopine of seck,	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Weddensday the 31 day, to denner, a chopine of wyne	6s. 0d.
Item, a muchkine of seck	6s. 0d.
Thursday the 1 of Apryll, to brekfast, a muchkine of seck	6s. 0d.
Item, at 4 hours, a chopine of wyne	6s. 0d.
Friday the 2 day, to dinner, a chopine of seck	12s. 0d.
Item, a chopine of wyne	6s. 0d.
Saterday the 3 day, for a chopine of seck	12s. 0d.
Mononday the 5 day, for a muchkine of seck to denner	6s. 0d.
Item, to supper, a muchkine of wyne	3s. 0d.
Item, Tuysday the 6 day, to denner, a chopine of wyne	6s. 0d.
Item, efter supper, a muchkine of wyne	3s. 0d.
Weddensday the 7 day, to denner, a chopine of wyne	6s. 0d.
Item, to supper, a muchkine of seck	6s. 0d.
Thursday the 8 day, to denner, a chopine of wyne	6s. 0d.
Item, to supper, 3 muchkines of wyne	9s. 0d.
Item, a muchkine of seck	6s. 0d.
Fryday the 9 day, to denner, a chopine of wyne	6s. 0d.
Item, to supper, a muchkine of seck	6s. 0d.
Saterday the 10 of Apryll 1647, for a chopine of wyne	6s. 0d.
Item, efter denner, a muchkine of wyne	3s. 0d.
Weddensday the 14 day, to denner, i muchkine of wyne	3s. 4d.
Item, to supper, a muchkine of seck	6s. 0d.
Thursday the 15 day, for ane chopine of wyne, quhen Thomas Fleaming came in,	6s. 8d.
Item, Tuysday the 20 day, for a muchkine of wyne	3s. 4d.
Item, to supper, a muchkine of seck	6s. 8d.
Weddensday the 21 day, a muchkine of wyne	3s. 4d.
Item, a muchkine of seck	6s. 8d.

Thursday the 22 day, for a chopine of wyne to denner	6s. 8d.
Weddensday the 28 day, for a muchkine of wyne to denner	3s. 4d.
Item, for a muchkine of seck	6s. 8d.
Mononday the 3 of Maii, for a chopine of seck	13s. 4d.
Tuysday the 4 day, to denner, a muchkine of seck	6s. 8d.
Item, to supper, a muchkine of seck	6s. 8d.
Weddensday the 5 day, for a chopine wyne	6s. 0d.
Item, for a pynt of seck	1 lib. 6s. 8d.
Thursday the 6 day, to denner, for 3 muchkines of wyne	9s. 0d.
Item, for a muchkine of seck	6s. 8d.
Item, to supper, a pynt of seck	1 lib. 6s. 8d.
Item, for a chopine of wyne	6s. 8d.
Fryday the 7 day, for a muchkine of seck to supper	6s. 8d.
Saterday the 8 day, for a muchkine of seck	6s. 8d.
Summa of this money for wyne is	i^{c} iii^{xx} xvi lib. xiii s. viii d.
Summa of the haill moneys conteanet in this buik is	i^{c} iiii^{xx} xi lib. xii s.

MRGIBETT SCOTT.

PETITION by Hew Lord Montgomerie to the Committee of Estates, 1648.

Wnto the honorabill Comitte of Estaittes, the Petitioune of Hew Lord Montgomerie,

Humblie schaweth,

226. THAT albeit zour petitioner was appoyntit be the Estaittes of Parliament to be a Collonell in the laitt ingadgement to Ingland, zit I never did accept of that chairge; onlie, at my Lord Callanderis west cuming, I was induced sua far as to nominat wnder officciares; but was so loath to appeir any wayes (against the Covenant) that befoir I did declair that I wald not joyne in that ingadgement if any malignantis, aither Ingleishe or Scotteis, sould concure in armes with that armie; whiche did appeir by my not goeing to Ingland with the foirsaid armie; whairwpon my chairge was disposing of by the Duike and Callander. Naither did I ever subscryve any band or take any oath for mantinance of the said ingadgement: and when George Monroe did returne from Ingland and joyned with Lanerke for opposeing of the wasterne forces, I did so far dislyk thair proceidinges that I never countinanced thame, but stayed at Dalkeith and Bathanes till I receaved ane letter from my Lord my father, in his awine name and my Lord Chancellaris (from Lawdoune hill), dessayreing me to returne home; geiveing assuirance I sould not be troubled heirefter in persone nor fortoune: Quhairwpon I geave obeddiance, which if the Committee of Air had knowein, they had not proceeded against me, nor used me as on who had bein active in the foirsaid ingadgement, by imposeing ane extraordinare burding of the present levie wpon me:

and that I and my tennentis hes almost beine ruinatted with quartereingis and exactiounes extraordinar. Heirfor I beseike zour Lordships to haue consideratioun of the premissis; and that I may be looket wpon at the leist as one of those who haue signifiet thair acceptatioune of the lait traittie at Stirling and Edinburgh: I conceaveing my selff nawayes obleisched to intimat my acceptatioun thairof, as is thairby prescryved, in regaird I did not accept my said chairge, naither did I countenance Lanerke, nor Monroe, as said is: thairfor zour Lordships wald be pleased to geive ordour that I may be repayed for my outrigue of 3 hors and 9 foote; and that I may not heirefter suffer as on disaffected to the guid caus: seeing I sall be reddie with lyfe and forrtoune to haizard for the samyne, and obey zour Lordships' commandis.

(Endorsed)
My Lord Montgomeres Bill, gevin in
to the Committe of Estaites, 1648.

Act in favour of Hew Lord Montgomerie, concerning the part he took in the Duke of Hamilton's Engagement, 2nd January 1649.

Edinburgh, the second of Januar 1649.

227. Forsameikill as Hew Lord Montgomerie, who wes a Colonell of the armie that went into England for prosecuting the late vnlaufull engagement, vpon ane letter from the Earle of Eglintoun, his father, be the advyse of the Lord Chancellor, daited from Lowdounhill, the tyme of the ryseing of the westerne shyres against the prosecuters of the forsaid engagement, desyreing the said Lord, his sonne, to leave the forces that were in armes for prosecuting that ingagement, giveing him assurance that hee should not bee troubled in his persone and estate, for anie thing done bee him relating to the same, did accordinglie leave the said forces that were prosecuting the said engagement, and by a letter signifie so much to his father (quhich the Lord Chancellour declared wes communicated to him) befoir the conclusion and signing of the late treatie at Edinburgh and Stirling, and that hee did thairefter repaire home, and hes lived peaceablie ever sensyne: Thairfoir the Committee of Estates, in consideration thairof, doth heirby grant to the said Hew Lord Montgomerie, the benefite of the said lait treatie in all pointes; and declares that hee is to bee in no worse condition then anie of these who were accessorie to the forsaid engagement, and have intimated thair acceptation of the said treatie, within the tyme thairby prescryved: And remittes to the Committee of Warr of the sherreffdome of Air, to cause the said Lord Montgomerie be effectuallie refounded and repayed of what hee hes advanced for outputting of horse or foot in the present levie, over and above that just proportion thairof quhairvnto hee will bee lyable, as in all other publict burdens imposed vpon the whole kingdome: and for that effect to impose the samin vpon these in the said shyre who were accessorie to the forsaid engagement, and have not signified thair acceptation of the forsaid treatie according thairto, proportionallie effeiring to thair estates, and according to thair

degries of guiltines; and cause them pay the samen to the said Lord Montgomerie, as said is. Extracted.

A. HENDERSON.

PETITION of Alexander sixth Earl of Eglintoun to the General Assembly, against the transportation of Mr. James Fergusson, Minister of Kilwinning, to Edinburgh [1649].

Unto the Right Reverend and Honourable the Moderator and remanent members of this Generall Assemblie, the humble petition of the Earle of Eglintoun

Humblie sheweth,

228. THAT wheras I, your wisdomes petitioner, have not beine amongst the last in contributing my wttermost for the cause of God these ten years bypast, an maine motive to quhilk hath beine the faithfull warning and wpstearing quhilk I receaved both in publict and private from my ministers; I cannot bot now regrate that in the tyme of my old age, and when tentations ar also growing, I am so hardlie served by the commission of the church as to be depryved of both my ministers at once; to witt, Mr. Hew M^c^Kaile, late minister at Irwin, and Mr. James Fergusson, minister at Kilwinning; and this notwithstanding that within thir six years both these places, to my great greife, wer emptyed by the transportation of Mr. David Dickson and Mr. Robert Baillie. Your wisdoms may easilie conceave that I cannot bot be much greived with such ane way of dealing; wherby my sufferings throuch transportation goeth far beyond anie example that can be produced within this whole kingdome. I most professe it is one of the greattest discouragements I have mett with in prosecuting of the publict worke, as I have expressed my selfe further to this purpose wnto some of your number; and more nor I think fitt hear to express, except I be putt to itt.

My humble petition therefore is, that your wisdoms wold spare my present minister, Mr. James Fergusson, to me; especiallie considering that one maine reason moving the most part of the reverend Commission to voyce unto Mr. Hew M^c^Kaile his transportation, was the certaine expectation they had that the towne of Edinburgh would passe from Mr. James Fergusson, as I conceave some of them heir present ar readie to declare. As also my minister is so litle satisfied with the whole bussiness, both in itselfe and the way of carrying it one, that he cannot be convinced of ane cleare call to remove from the place wher he is to Edinburgh: and I am confident that he will rather venture upon anie hazard, nor without full clearing to undergoe such ane charge. In all quhilk considerations I am veri hopfull ye will take my earnest desyre to your wisdoms consideration. The granting wherof will be ane singular encouragement to

Your Wisdoms supplicant,

EGLINTOUN.

FINDING by the Committee of the General Assembly, that Mr. James Ferguson, minister of Kilwinning, should not be transported to Edinburgh, 10th July 1649.

29. WE, the committe appointed for satisfying the Earle off Eglintoun his bill, sa farr as possiblie can be without any publik hearing of it befor the Assemblie, do find it equitable, that for the speciall good seruice that my Lord hath done in this cause, that his lordship shall enioy his minister, Mr. James Fergusin: and we do herby declare, that we haue warrand from them that ar cheiflie interest in pursuing the said Mr. James his transportation, to promise to my Lord that the said transportation shall be as if it neuer had been decyded or wakned; and Mr. James shall be in the same condition as other ministers who were neuer summounded in reference to any transportation to Edinburgh. In faith wheroff we haue subscribed thir presentis with our handis, at Edinburgh, the tent off July 1649 yeirs.

DAVID DICKSON.
ARBUTHNOT. MR. ANDREW CANT.
BURGHLY. MR. J. MONCREIFF.
T. R. of FREILAND. M. GILLESPIE.
JO. LIVINGSTONE.

ACT in favour of Hugh Lord Montgomerie.

Pearth, the 26 of October 1650.

30. THE Committee of Estates haueing heard and considered the petition of Hugh Lord Montgomerie, beareing that he had satisfied the Church for his faillure in the matter of the late vnlawfull engadgement against England, in being so farr ensnared as to permitt some officeris to goe about the leauieing of an regiment of horse, though he never embraced charge therein, neither wes he at Sterline with the now Duke of Hammiltoun and Georg Monro; and that the Commission of the Generall Assemble had declared their acceptance of his satisfaction; and that his accession to the said engadgement should be no further hinder to him of any publict imployment; and therefore desireing that he might be declared capable of publict trust, and freed of any restraint lyeing vpon him by publict acts: And haueing also considered the Act of the Commission of the Generall Assemble in behalf of the said Lord to the effect aforesaid; Therefore, and in reguard he hes satisfied the Church for his accession to the said engagement, the Committee of Estates doeth heerby declare the said Lord Montgomerie to be capable of publict trust, and free of any restraint lyeing vpon him theirfrae by publict acts, notwithstanding his accession to the said engadgement. Extracted.

A. HENDERSON, Cls. Dom. Com.

EXPLANATION of the ACT of LEAVY, 11th January 1651.

Perth, 11th January 1651.

231. THE King's Majesty and Committee of Estates being informed that some persons misunderstanding the true sense, meaneing, and end of the Act of Leauie, do make such interpretations thereof as will frustrat and disappoynt the seruice; as if the enjoyneing of the heretors to come out with all their horses fitt for seruice did import no more then their comeing out with their owne proper horses; and, if they wanted of their owne, that they were not to buy nor prouide them: whereby such as had most to loose, and owe the greatest obligatioun to king and kingdome, should be at the smalest charge, and subject to the least duety, contrarie to all equitie and justice, to the ordor observed in all former leauies, and to the true sense and meaneing of the said act; which is, that all horse fitt for seruice should come out with men and armes, and that those who had the greatest rents should be the outputters of the said horses, according to the proportion of their estates: Therefore the King's Majesty and Committee of Estates, for removeing any mistake arriseing from the said Act of Leauie, do hereby declare and ordaine — that non pretend ignorance or make any subterfuge wpon the said act — that the proportion of horse to be putt furth to the present leauie is to be at least one trooper, weill mounted and armed, for each thousand merk of yearlie valued rent: and that by and attour the heretors and yong men within burghs who are able to mount themselues. Extracted.

A. HENDERSON, Cls. Dom. Com.

MEMORANDUM by Alexander sixth Earl of Eglintoun, of jewels, etc., belonging to his wife [1651].

232. MEMORANDUM quhat is in the litill coffer that my wyffe left withe the Laird of Kire.

Item, fayue mounters littill and moukill.

Item, a brod iouell with dayamonds.

Item, a dayamount breslet.

Item, a dissoun of sponnis of mother of perill, on brokin.

Item, of boutennis, and dayamountis set on the hed, 30.

Item, soum gold.

Item, a wege of gold.

Item, fayv ringis withe dayamount.

Item, soum wtheir gold wipis.

Item, soum louse dayamountis.

Item, a peise a blak setin broutherit, with perlle, and soum louis perill.

Item, a siluer beltt.

Item, my lordis letter will, and his bairnis prouisiouns, with soum bandis.

Item, soum peperis of hir auine.

This for ane memorandoum till the wther memorandoum.

PROTECTION by General Lambert to Lady Montgomery, 27th January 1651.

233. THESE are to require you, vpon sight hereof, to forbeare to truble or molest the family of the Right Honourable the Lady Montgomery, att Killwenning; to injure or spoile her ladyships house; to seiz or draue away any of her goods without speciall order; to forbeare to quarter any soldiers vpon her ladyship; otherwise then according to the rules laid downe in the late warrant for assessments and preventing free quarter: Hereof you are not to faile: Giuen vnder my hand and seale at Dalkeith, the 27th January 1651.

To all Officers and Souldiers.

COMMISSION by King Charles II. appointing Alexander sixth Earl of Eglinton to be Captain General of the Horse Guards, 31st March 1651.

CHARLES R.

234. CHARLES, by the grace of God, King of Scotland, England, France and Ireland, Defender of the Faith, etc., To our right trusty and right welbeloued Cousin and Councellour Alexander, Earle of Eglinton and Lord Montgomery, and to all others to whom these presents shall come, greeting: Know ye that we, reposing speciall trust and confidence in the courage, conduct, wisedome, fidelity and good affection to vs of you our said Cousin and Councellour, Alexander Earle of Eglinton and Lord Montgomery, doe, by these presents, nominate, constitute and appoint you to be Captaine Generall of all the Horse Guards for our person, next and immediately vnder vs: giving you hereby power and authority to leuy, arme, conduct, order, discipline and command in chiefe the same, in all things, according to the custome and discipline of warre, and as belongeth to the duty and office of a Captaine Generall of all our said Guards of Horse; and to reduce the same into troopes: commanding hereby all officers and souldiers vnder you to obey you in all things for our seruice as to their Captaine-Generall: And for the better gouernment and discipline of our said guards, We further, by these presents, giue you full power and authority to call, hold, and keepe from time to time, a court-martiall, court or councell of warre, for the punishment of all misdemeanours and offences, according to the nature of the trespasse, and according to the lawes, vsage and custome of warre; and to doe and execute all such other things and seruices; and to hold and enjoy all such rights, priuiledges, allowances, preheminences and authorities, as are incident or any wise appertaining to the office and command of a Captaine-Generall of our said Guards of Horse: and, in the execution of this our Commission, you are to obey and pursue all such orders and commands as you shall from time to time receiue from Vs only. Given at our Court at Perth, the last day of March 1651; in the third yeare of our Reigue.

OBLIGATION by Alexander Osburne to Lord Montgomerie, to redeliver a gun to his Lordship, 29th October 1651.

235. QUHAIRAS the richt honorabill the Lord Montgomerie had the lone of sax gunes from me, quharof I haue receuit fyve bak again, and ane other of his Lordship in lieu thairof, quhilk I do heirby promeis and obleidge me, and my aires and executoures, to redelyver (incaise sche be not taken frome me by violence) to his Lordship, or to any quhom he sall appoynt at demand, vnder the pain of twintie pound Scotes in caise of my refussall: In witnes quharof I haue subscriuit thir presentis, wrytin be Hew Smythe, at Cumbray, the xxix of October 1651 yeirs, befoir thir witnesses, Robert Frances and the said Hew Smythe, servitouris to the said noble Lord.

H. SMYTHE, witnes. ALEXANDER OSBURNE.

ROBT. FRANCIS, wittnes.

COMMISSION by King Charles II. to Hugh Lord Montgomery [1651].

CHARLES R.

236. CHARLES by the grace of God King of Scotland, England, Fraunce and Ireland, Defender of the Faith, etc., to our right trusty and wellbeloved Cosen, Hugh Lord Montgomery: Whereas wee have speciall good trust and confidence of the courage, conduct, wisdome and good affection of yow the said Hugh Lord Montgomery; and haveing seriously considered the distressed condition of the westerne parts of this our Kingdome, as being vnder the foote of the enemy, and not in any posture of defence for acting for their owne reliefe or the publick worke: Wee therefore, having remitted to ws by our Parliament the choising of the Colonells for the leavyes of the southerne and westerne shyres for that effect, doe hereby ordaine and giue full power and commission to yow to convocate the Committees of Warre in the Baillery of Cunynghame and Sherriffdome of Renfrew, that they may appoynt and out-reeke the leavyes of Horse and Foote within the said bounds, according to the late Act of Parliament relateing to the leavyes be north the water of Forth, and explanation of the Committee of Estates: Or if the said Committees cannot conveniently meete, that then, and in that case, yow advertise the severall Heritors that each of them for his owne part put forth his due proportion of the horse and foote conforme to the Act foresaid: And if yow shall fynd it conducible for the service, that the foote be converted in horse or dragoones, that the same be effectuate according to the former practises of the said Baillery and Shyre: And that all the said leavy be advanced with fourty dayes loane in victuall or money: And further, wee do hereby fully authorize you, the said Lord Montgomerye, to recollect all those that were leavied for Colonell Gilbert Kers Regiment, wheresoever they may be found: As also that all Heritors of the said bounds mounted on their best horses joyne themselves together vnder your command, conforme to the forenamed Act relateing to the Northerne Shyres: And if any person or persons within the said bounds shall be found by their councells or

actings to oppose or prejudge the service, that forthwith yow make knowne the same to ws, or our Committee of Estates, that they may receive such punishment as delinquents of that nature doe justly deserue: And further, we giue full power vnto yow, the said Lord Montgomerie, to nominate, appoynt and put in charge such officers upon the said forces, as yow shall know to be most worthy of trust and qualified for the service, and to appoint such quarters for the said forces as shall most contribute for advanceing of the publick service: Our will also is, that yow hold and injoy all such rights, priviledges, allowances and authorities as are incident or any wise appertaining to the office of a Colonell of Horse, Dragoones or Foote; obeying and observing all such orders and commands for our service, as from tyme to tyme yow shall receiue from ws, our Committee of Estates, or superioure officers of the Army: Giuen at our Court at

INVENTORY of the Earl of Eglinton's Jewels, 20th February 1652.

In a litle fire box, having the first figure on it, and triangled.

237. 1. A pendant jewell with two rubies, a fair emerald, tuo faire pearle, and another stone.
2. Tuo gold woopes enamled, and on set about with green stones.
3. A long big ridstone set in gold enambled.
4. Tuo medles, the on set in gold, the other not set.

In the long whyt fire box having the second figure on it.

1. A dozen of mother of pearle spounes, with the shaftes of silver overgilt.
2. 3 peeces of blak satin embrodered with pearle.
3. Sum litle small rubies in a paper unset.
4. Six pearles, which pearles and rubies are within a litle rid box conteaned in the big on.

In a litle round painted fir box, having the third figure on it.

1. A paper with a good number of small pearles unpearsed.
2. Another paper with a braclet or chaine of prettie bose gold work.
3. A good manie greater pearle, and sume other peeces of gold smith work called Jerbes.

In a litle long rid box having the fourth figure on it.

1. In a paper 31 prettie big pearles.
2. A prettie seale containing three, on within another, of gold.
3. A piktooth case and piktooth of gold, the case enambled.
4. Tua small gold bracelets, and on bigger.
5. A litle woop of gold.
6. A prettie medall.
7. A double bracelet with a look of gold enambled.
8. A claps of silver and a blood stone.

In a litle small fire box, having the fyft figure on it.

1. Sume sneel powder and perfumed jacolate.

2. A long litle agat blakish.

3. Two musik boxes.

In a long small fir box, having the sixt figure on it.

1. A diamond braclet with 7 table diamonds and on of litle value, and 52 litle table diamonds set in fours.

In a leather box conteaning ringis, having the figure of sevin on it.

1. A ring set with five prettie good diamonds.
2. A ring with one verie fair diamond.
3. A broken ring with a litle diamond.
4. A ring with 3 diamonds, on bigger, and tuo litle sparkes.
5. A litle pointed diamond ring.
6. A diamond ring, set in forme of a hart, enambled green.
7. A litle green stane set in a ring.
8. A ring with a prettie rubie.
9. A great woop enambled.

In a litle gilded cornerd leather box, having the figure of eight.

1. A great jewell set with diamonds, rubies and pearles.

A green velvet litle box, having the figure of nyne on it.

In which box ther are 3 rings; whereof on set in the forme of a crowned hart with 4 diamond, another with 9 diamonds in forme of a rose, the third with 5 diamonds.

In a painted big fir box, having the figure of ten on it.

1. A verie fyne enambled streking clok.
2. A verie prettie vatche of an agat, with ane case of silver.
3. A litle timber box, in nature of a table man, containing 40 sparkes of diamonds.
6. Six litle triangler conceits of gold, with 3 smal rubies in each on.
7. Sixteen gold round buttons.
8. A gold chain with a liquat of gold.
9. A gold inemald valentine.
10. Tua bitts of stanes, we knowe not what.
11. A blood stone in forme of a hart.

In a handcerchers, with the figure of eleven on it.

1. Fyue torter shell spoones.
2. An seued silk purse, wher are mare seed pearle, and sume small bracelets of pearle threded, with sume small curalls, and litle peeces of rubies.
3. A pair of spectacles, bounded with silver.

In a gold embrodered purse having the figure of tuelue.

1. Nyne and tuentie peeces of gold; wherof on is a Portigall ducat, and the other a peece of King James of the like value.

In another embrodered purse, having the figure of thretteen.

1. A plaine gold ring, with a blak ribbon.
2. Nyne and tuentie gold buttons, with a table deamond on the top of each of them.

In a horne pocket, having the figure of fourteen.

1. In 20s. sterling peeces and 10s. sterling peeces ther ar 152 lib. sterling—152 lib. sterling.
2. In 20 merk peeces and ten merk peeces ther ar 560 merks, —560 merks Scots.

Item, a great watch of silver, with a great long silver belt with it.

Item, tuo other silver watches.

20 February 1652.

This Inventour taken up by us vndersubscriuers, conform to a double deliuerd to the Laird of Innes, day and place forsaid.

FINDLATER. CALANDER. D. BRODIE.
GEORGE SEATON. G. KEIR.

TESTAMENT of Alexander sixth Earl of Eglintone, 5th June 1652.

238. WEE, Alexander Erle of Eglintone, being wncertane of the houre of death, quhilks is only knowne to the Almightie, make our testament and latter will as followes: And first wee recomend our soull to the Almighty God, beleveing assuredly to be saved by faith throw the merits of Jesus Chryst my Redemer; and wills my corps to be buried in my ordinar buriall place at Kilwining: Item, wee nominat and constitute our tuo yongest sonnes, Collonell James and Maior Generall Robert Montgomries, our soll executors, intromettors and vniversall legators, equally betuixt them, of all goods, geir, farmes, debts, soumes of money and wthers whatsumever perteining to ws that will fall wnder executry and testament, to be vsed and disponed be them equally at ther pleasure; with power to them or ather of them surviueand the other to giue wp inventary and confirme my said testament as accords; exceptand alwayes furth and frae the said legacie the greatest silver basen and lawer, and four gilted silver candelstickes, and the great gilted silver saltfat of three tyre height, and tuelve silver trenchors, wherupon our awne and our first spous, Lady Anne Levingstones names are ingraven, presentlie perteinning to ws; togidder with ane suit of Arras worke hingings which hang in the great chamber aboue the hall, and the great carpet which [is] for the great table in the hall, with all others my household plennishing and domicills, quhilkis I bequeath and leave in legacie to Hew Lord Montgomrie, my eldest sonne and appeirand aire; with full power to him to keep and reteine the samen, or otherwayes to call therfor and vse and dispone therupon at his pleasure, notwithstanding of the premisses or any part therof; and that in full contentatione and satisfactione to him of all other moveable aireskip that he can claime out of the house be my deceise, or death of his said wmquhill mother; specially seing the rest of the silver worke not excepted heirby in favours of our said sonne, Hew Lord Montgomrie, is heirby declared to fall wnder compasse of my said

executry and legacie abouewrittin, made be ws in favours of our saids tuo sonnes, Collonell James and Maior Generall Robert Montgomries, and belong to them equally betuixt them: . . . Item, wee ordaine our saids executors to defray the charges of our buriall, wherat wee desyre no ceremony or pompe, but only the company of our noble and honest friends in the day of the buriall, with as great modesty as can be: And ordaines them to make payment to our servants of ther wholl fees and dewes, or what shalbe ordained by ws otherwayes for them: Item, we ordaine our chartor chist and wholl wryttes after our deceise, in whose hands soever they be, to be delivered to the said Hew Lord Montgomrie, or his aires, except the particular provisiones and wryttes of the conquest lands provyded to my saids executors, quhilke I ordaine tꝙ be deliuered to them, and to the other persones provyded therby: And this our testament and latter will wee ordaine to stand irrevocably; heirby reshinding and annulling all former testaments made by ws at any tyme heirtofor: In witnes wherof, writtin be David Bellie, our servitor, wee have subscryved thir presents with our hand, att Edinburg, the fyft day of June, the yeare of God I^{M} VI^{c} fyfty tuo yeires, befor thir witnesse, William Home, Baillie of Glasgow, and Robert Fergushill, servant to the said Collonell James, and the said David Bellie.

WILLIAME HOME, Witnes. EGLINTOUN.

R. FERGUSHILL, Witnes.

DA. BELLIE, Witnes.

DISPOSITION by Alexander sixth Earl of Eglintoun, to James and Robert Montgomerie, his sons, 25th June 1657.

239. BE it kend to all men be thir present letters, me Alexander Earle of Egelintone, etc., Forsameikle as Dam Anna Livingstoune, my lady, at hir deceis left to Collonell James and Major General Robert Montgomerieis, her sonnes procreat betuixt her and me, certaine silver worke pertaineinge to her, and receaued by me with her at our mariage, and desirit and appointed me to give and deliver the samyne to our said sonnes, reserveing my owne liferent use thereof: Therefor witt ye me, in consideratione of the same, and for certaine other good causes and considerationes moveing me, to have given, granted and dispouned, lykas I be the tennor hearof give, grant and dispone to the said Collonell James and Generall Major Robert Montgomerie, my said sonnes, equallie betwixt them twa, their aires, executors or assignays, all and haill the said silver worke vnderwritten, viz., ane gilt silver bassen with ane laiver; Item, ane plaine silver bassen with ane laiver; Item, ane laigh gilt salt fatt; Item, three silver salt fatts; Item, tow great bowles of silver; Item, tow litle bowles of silver; Item, tow cupes; Item ane brad cup; Item, ane gilt litle cupe; Item, ane litle how cupe of silver; Item, ane silver box; Item, tow dussane of silver trenchers; Item, ten silver spounes; Item, tow silver chandlers and tow silver stoapes; to bee vset and disponnit vpon be the said Collonell James and Generall Major Robert Montgomerie, my sonnes, at ther pleasor; reservinge allwayes to me the vs therof dureing all the dayes of my lifetyme: It is

hearby declareit that by and attor the silver worke above written, now disponnit be me to my said sonnes, in manner abovespecifiet, ther is ane great gilt bassen with three feit, and ane laiver conforme, with ane high gilt salt fatt, and four gilt chandlers, which did not pertaine to my said ladie, nor was receaved be me with her at our mariage, bot belongs to the house of Egelintone, and which gilt silver worke shall all pertaine and belonge to Hew Lord Montgomerie, my eldest sone, after my deceis . . . In witnes whereof, written be James Wallace, servitor to the said Collonell, I have subscryvit thir presents with my hand, at Egelinton, the twentie five day of June 1657, befor thir witnesses, Alexander Ramesay, servitur to the said Earl of Egelintone, and James Wallace, writter heirof.

ALEX^{R} RAMSAY, wit^{ns}. EGLINTOUN.

JA. WALLACE, witnes.

ALEXANDER sixth EARL of EGLINTOUN to the Moderator of the Synod of Glasgow and Ayr, [1660].

40. RIGHT REVEREND MODERATOUR — I must intreat yow and the rest of your reverend brethrine of the synod, that now, when I am neir to the grave, yow wold not depryue me of the means of comfort I have by my minister Mr. James Fergusone. Yow know I have hazarded both lyfe and fortune to serve the judicatories of this church; which made the General Assemblie, out of the sense they had of my affectione for them, continue him to me after he was transported by vote befor them. And seing thei did so, I cannot exspect bot yea will much more befreind me, especialie against the towne of Glasgowe, who have alreadie robed me of fyve of my ministers; so as it seems to me it is now rather my prejudice then ther owen good they are seekinge: for they know weal eneugh they can never get him; they may weal opin a doore to Edinbrugh: and what should be the cause of this ther malice against me who have ever lived as a neighbour, readie to doe them all the courtesies I could, I know not: bot what ever it be, I hope your wisdom will not be accessorie to my prejudice, bot will continue him to me, and so ingage me and myne to be ever your EGLINTOUN.

MEMORIAL by Alexander sixth Earl of Eglinton, and Hew Lord Montgomerie, to the Synod of Glasgow and Ayr against the transportation to Glasgow of Mr. James Ferguson, minister of Kilwinning [1660].

41. Unto the Richt Reverend the Moderatour and remanent brethren of the provincial of Glasgow and Air, the earnest supplication of Hew Lord Montgomrie, in his oune name and in the name of his aged father, the Earle of Eglintone.

SHOWETH, That wheras the magistrats and church session of Glasgow doe yet continue to seik the transportation of their minister, Mr. James Fergusson, to Glasgow, notwithstanding that the

presbiterie of Irwin hath unanimouslie fixed him where he is; and doe therby, if so your wisdom should grant their desire, not onlie wrong this familie, who have deserved no such thing at their hands, but also take the neirest and most effectuall way to send their minister out of the bounds of the sinod, considering that the towne of Edinburgh pretendeth a right to him by vertue of ane act of the Commission of the church transporting him there; the execution of which act was delayed by the General Assemblie onlie from respect to the petitioners familie: so that if this Reverend Judicatorie who, may be conceaved, should be as tender of the weal of that familie as anie church judicatorie in this national church, shal ordaine him to transport from them, it cannot be wel expected but the Generall Assemblie — to which this processe will, without doubt, be caryed by appeale — will, upon the earnest desyre of the towne of Edinburgh, thinke that argument which formerlie did prevail with them for the not-execution of the forementioned act much weakned, if not whollie enervatted by the prior determination of this judicatorie, if so your wisdoms who know the case of your petitioners familie, and wil be presumed in reason to pay al due respect to it, shal, notwithstanding of all the arguments used by them to the contrari, ordaine their minister to transport from them.

May it therfore please your wisdoms to take all the reasons given in by the petitioners and the parosh of Kilwinning to your grave consideration: and they doe not doubt but your wisdoms wil be loath to passe anie sentence for their ministers transportation which wil be so far from gratifying the towne of Glasgow, that in al probabilitie it would make faire way for the removal of their minister, not onlie from the parosh of Kilwinning and presbitrie of Irwin, but also out of the whole bounds of this sinod: To which that your wisdoms be not in anie measure accessorie, is both the expectation and earnest desyre of

Your wisdoms' humble petitioners.

REASONS of APPEAL to the General Assembly by Alexander sixth Earl of Eglintone, and Hugh Lord Montgomerie, against the sentence of the Synod of Glasgow and Ayr, for the translation of Mr. James Ferguson from Kilwinning to Glasgow, October 3rd 1660.

242. The reasons of the appellation given in by me Hew Lord Montgomrie, in his owne name and in the name of his honourable father, the Earl of Eglintone, and the whole parishiouners of Kilwinning, against the sentence of the Sinod of Glasgow, October 3, 1660, wherby they transported Mr. James Fergusson to Glasgow, from the saids provincial to the nixt insuing Generall Assemblie.

First. THE said sentence, as wil appear from the reasons given in by us, is prejudicial to the good of the church of Christ in these bounds.

2. The sinod did not seriouslie weigh the strentgh of those reasons given in by ws, the parishiouners, and our minister, against the saids transportation; otherwyse it cannot be conceaved they would have passed such ane unjust sentence.

3. This sentence was onlie caryed by foure or fyve voyces; there being a great number present who were not cleare to voyce anie thing: so that the sentence can hardlie be looked upon other wyse then as a non-liquet of the whole sinod; and therfore should not have beine judged by the synod as ane authoritative act ordaining our saids minister to be transported.

For these and such other reasons as shal be given in by me, in due time and place, I doe appeal from the formentioned sentence as unjust; and doe protest that the saids sinod, with al parties interested, are hereby obleiged to sist themselves before the nixt General Assemblie, when or wheresoever it shal happen to be, to receave their sentence from the Assemblie for the saids injustice; and that they bring alongs with them ane extract of the forementioned unjust sentence, together with al the reasons which were produced and heard before them, pro and con. in this bussines. In witnes whereof I have subscribed these presents with my hand, at Glasgow, October 3.

TESTAMENT of Alexander sixth Earl of Eglintoun, 19th May 1660.

243. WE, Alexander Earle of Eglintoune, Lord Montgomerie and Kilwyning, being now for the present both in health of bodie and sound in spirit and judgment (praise be to God), knawing nothing to be more certane then death, and more vncertane nor the tyme and houre thairof; recommending my soull and my spirit vnto the great Lord, my Creator, and to the Lord Jesus Chryst, my most blessed Saviour and Redeimer, hoping assuredlie to be saved onlie by the merits of Jesus; ordaineing my corpes (quhen it sall please the Lord to call vpon me out of this mortall lyfe) to be buried in our avne ordinar buriall place in the Church of Kilwyning; haveing now thought good to mak and sett doune this our testament and letter will as followes: And we taking to our consideratioune that be vertew of ane contract made betuixt us, on the ane pairt, and Hew Lord Montgomerie, our eldest lawfull sone, on the vther pairt, of the dait the eight day of December, I^M. VI^c fyftie eight yeires, we did for the reasons and causses thairin specifeit, and more speciallie, in regard of the said Hew Lord Montgomerie, our eldest lawfull sone abonenameit, his oblidging of himselfe and his aires thairby to pay to our haill severall respective creditours of all and sundrie thair haill severall soumes of money, principalls and bygaine annualrents thairof, awand for the tyme efter our deceis, particularlie specifiet and containeit in the inventar of our debts then dravne vp and mutuallie subscryvit be us both; and which be the said contract are ordaineit to be holdin as speciallie ingrossed and sett doune thairintill; at the leist, to mak payment to our saids severall respectiue creditours, efter the tyme of our said deceis, of so many of the saids debts and soumes of money as sould then happin to be restand awand vnpayit to them for the tyme; bind and obleis us, and the said Hew Lord Montgomery, our eldest sone abone nameit, that we sould conferr the benefeit of our executrie of all and sundrie our guids, geire, cornes, cattell, insight plenishing, debts, soumes of money, maills, fermes, proffeits and dewties of land and vthirs belonging to us the tyme of our said deceis, in the persoun and favours of the said Hew

Lord Montgomerie, our eldest lawfull sone abonenameit, and of his aires maill, taylzie and provisioune, succeiding in our erledome of Eglintoune, and that we sould not doe any fact or deid whatsumever, aither directlie or inderectlie, that might be hurtfull or prejudiciall to him and his forsaids thairanent in any sort, nether in haill nor in pairt; vnder this expres particular provisioun and conditioun allwayes sattiled and aggreit vpon be the said contract betuixt us and our said sone, that, yitt nevertheles and notwithstanding of our said abonewrittin oblishment abovespecifeit in favours of our said eldest sone and his foirsaids in the said matter, it sould be allwayes leisume to us, in our avne tyme, to dispose vpon and conferr, whither be way of executrie, legacie, or efter any vther legall maner of way we sould please, to any persoun or persouns whatsumever we sould think good and expedient, als much of our saids goods, geire, insight plenishing, debts, soumes of money and vthirs moveables belonging to us the tyme of our said deceis, as sould extend to the soume of nyne thousand merks Scots, and whairvnto the benefeit of our said executrie to have beine conferred in our said sones favours is speciallie declaired be the said contract on na wayes to be prejudiciall in any sort, as the said contract of the dait foirsaid mair larglie beires: and we being now most willing to performe to the said Hew Lord Montgomerie, our eldest sone abonenameit, in what afoirsaid we stand obleist to him relaiting to our said executrie vpon the termes particularlie afoirsaid, doe now heirby, be this our testament and letter will, conforme to the trew intent, tenour and meaning of the said contract, mak, nominat and constitut the said Hew Lord Montgomerie our eldest lawfull sone abonenameit, to be our onlie executour and vniversall intromettor with all and sundrie our haill guids, geire, cornes, cattell, insight plenishing, horses, nolt, sheep, debts, soumes of money, maills, fermes, dewties and proffeitts of land, and all and sundrie our vther moveable guids and geire whatsumever, belonging to us the tyme of our said deceis, to be intromettit with and disponeit vpon be him as his avne propper guids and geire at his pleasure; except allanerlie in so far as concernes or can or may be extendit to als much of our saids moveable guids, geire and debts, as will amount to the said soume of nyne thousand merks Scots, which we have power to leiwe in legacie or to conferr any vther legall way we think good to such persouns as we sall think expedient, as said is; and which in so far as will amount thairof to the said soume of nyne thousand merks Scots, and be conforme to the said contract and power afoirsaid reservit to us thairby, doe be thir presentis leive in legacie to the persouns particularlie efter specifeit, amongst them ilk ane of them for thair avne pairts thoirof, as is particularlie efter divydit: That is to say, and in the first, to Colonel James Montgomerie, our second lawfull sone, the soume of thrie thousand merkes guid and vsuall money of Scotland; and to Generall Major Robert Montgomerie, our youngest lawfull sone, the soume of vther thrie thousand merks money foirsaid; and that for the love and favour and good respect we carie toward our saids sones for thair good behaviour towards us: and also to Katherine Montgomerie, dochter naturall of the deceist Sir Alexander Montgomerie our thrid sone, the soume of twa thousand merkes money foirsaid; and that to her so being she carie and behave hir selfe rightlie, and doe not mary without consent of our childrene efternameit: viz., of Hew Lord Montgomerie, the said Colonel James

Montgomerie and the said Generall Major Robert Montgomerie, they being on lyfe, or of so many of them that beis on lyfe for the tyme; and failzeing thairof, the said soume to Francis Montgomerie, the said Hew Lord Montgomerie his second lawfull sone: Item, to Capitane Robert Crawfurd, portionar of Nether Maynes, Kilwynning, the soume of fywe hundreth merks money of Scotland; to Thomas Ogilvie, our servitour, the soume of thrie hundreth merks money foirsaid; and to Alexander Ramsay, also our servitour, the soume of twa hundreth merks money foirsaid; quhilk soumes of money abonewrittin does fullie compleit the said soume of nyne thousand merkes money foirsaid; and whilk soume of twa thousand merkes money foirsaid quhilk is to be payit to the said Kathrein Montgomerie, is to be in full satisfactioune to her of ane band made, gevin and grantit be us to her thairvpon: and we heirby expreslie ordaine our said executor afoirsaid to mak payment to the foirnameit persouns our legatours abonenamet, and ilk ane of them, of thair avne severall legacies respective afoirsaid, and that off the first and reddiest of his intromissioun with our saids moveable guids, geire and debts: and we doe heirby committ our full power to our said executour afoirsaid, to giwe up, for the better confirmatioune of this our testament and letter will, ane just and trew inventar of all moveable guids, geire, and debts and vthirs belonging to us the tyme of our said deceis: and in the contingencie of the deceis of Hew Lord Montgomerie, our eldest sone abonenamit, and executour afoirsaid, befor ws, then and in that cais, we heirby nominat and constitut Alexander Maister of Montgomerie, his eldest lawfull sone, to be onlie executour and vniversall intromettoir with all and sundrie our saids haill severall moveable guids, geire, and debts and vthirs belonging to us the tyme of our said deceis; with power to him to giwe up inventar thairof, and to intromett thairwith, vse and dispone thairvpon at his pleasure, except allanerlie in what thairof afoirsaid is left by us in legacie to the foirnameit persouns our legatours abonenameit, in maner respective abonedivydit, quhairvnto the said executrie sall not in any sort be prejudiciall; and which legacies respective afoirsaid, we expreslie heirby ordaine Alexander Maister of Montgomerie, incais of his being our executour in the contingencie afoirsaid, to mak payment to the foirnameit persouns or legatours abonespecifeit, efter our said deceis, aff the first and reddiest of his intromissioune with our said moveable guids, geire and debts, ilk ane of them for thair avne pairts thairof as it befalls them to have of the sameine, conforme to the divisioun abonewrittin, without any questioun, trouble or debait of law whatsumever: In witnes quhairof (writtin be Johne Dalrymple wryter in Irving) we have subscryvit thir presents with our hand, at Eglintoun, the nynteine day of Maij, the yeare of God I^{M} VI^{c} and thriescoire yeiris, befor thir witness, Johne Cunynghame of Baidland, Major Hew Bunteine, in Kilwyning, Georg Montgomerie of Auldhall, Robert Broun, toune clerk of Irving, and the said Johne Dalrymple.

J. Conynghame, witnes. George Montgomeri, witnes. Eglintoun.
J. Bontine, witnes. Johne Dalrymple, witnes.
R. Broun, witnes.

Commission by the Freeholders of Ayrshire to the Lord Montgomerie and the Laird of Cesnock, 3rd April 1660.

244. We, Nobillmen, Barronis, and Gentillmen wndersubscryving, doe heirby authorize the Lord Montgomerie and the Laird of Cesnock to meit with the commissioneris of vther nighbouring schyres and burrowis, at Edinburgh, the auchteenth of this instant, and to endeaver to procure ane meiting of commissioneris of the schyres and burrowis of this natione, and to meit in the said generall meiting, and theirin to proceid according to the commissione and instructions formerlie givine be the schyre to the Lord Montgomerie, to the last generall meiting of the shyris and burrowis, beiring dait the tuentie fourt day of Januarii lastbypast; for doing wherof thir presentis sall be our saidis commissionaris theire warrand: Givne wnder our handis att Air, the thrid day Apryle 1660.

S. W. Rowallan.	J. Gaitgirth.	A. Kennedy.
Skelmorlie.	J. Craufuird.	Tho. Wallace.
Dunlop.	Kirmichaell.	B. Blair.
Mr. G. Cuninghame.	Cochrane.	James Blair.
Dankeithe.	Ja. Dalrymple.	D. Blair.
R. Brigend.	R. Hessilheid.	Frances Mure.

Discharge by the Earl of Wintoun to the Earl of Eglingtoun and his Cautioners for 12,500 merks, dated 18th, 23rd, and 26th December 1662.

245. We, George Erle of Wintoun, Lord Seatoun, Winchbrugh and Tranent, with expresse consent and assent of our curatouris vndersubscrivand, for their entresses, be thir presents grants us, with consent forsaid, to have receaved from ane noble Erle, Heugh Erle of Eglingtoun, the sowme of twelve thousand and fyve hundreth merkis, good and vsuall money of this realme, as the first termes payment, and in part of payment, of the sowme of twentie fyve thousand merkis, specifeit in ane band made be the said noble Erle, Heugh Erle of Eglingtoun, as principall, and Alexander Lord Montgomerie his eldest lawfull son, Robert Lord Sempill,

William Lord Cochrane, and certaine vther persons, as cawtioners for him, conjunctlie and severallie, to ws thairvpon, of the dait the sevinth, fourtint, twentie eight and fourt dayes of June and July last-by-past: and theirfor we, with consent of our saids curatouris vndersubscrivand for their entresses, have exonered and discharged, and be thir presents, exoners and discharges the said noble Erle, Heugh Erle of Eglingtoun, and his saids cawtioners, their aires, executouris, and all vthers whom it effeires, of the forsaid sowme of twelve thousand and fyve hundreth merkis, as the first termes payment, and in part of payment, of the said sowme of twentie fyve thousand merkis, contained in the band abovespecifeit; and of all actioun competent to ws, and our saids curatouris for their entresses, against them therfor, for now and ever: Quhilk discharge abovewrittin we, with consent of our saids curatouris vndersubscrivand for their entresses, bind and oblige ws, our aires, executouris and successouris, to warrand to the said noble Erle, Heugh Erle of Eglingtoun, and his saids cawtioners and their forsaids, to the effect abovewrittin, at all hands and against all deidlie: and to ratifie and approve the samyn at our perfeit age of twentie ane years compleit: and for the more securitie, are content and consents thir presents be registrat in the bookis of Counsell and Sessioun, their into to remaine, ad futuram rei memoriam: and constituts our procuratouris: In witnesse quhairof we have subscrived thir presents with our hands, (written be Mr. Patrick Douglas, servitor to James Allane, writter to the signet,) at Canningate and Edinburgh, the eightenth, twentie thrid, and 26th of December, I^{M} VI^{C} and sixtie two yeirs, befor these witnesses, James Allane, wryter, Mr. Andrew Ker, advocat, inserter of the date and witnesses names, and Alexander Young, our servant.

WINTOUN.

A. KER, witnes.
J. ALLANE, witnes.
A. YOUNG, witnes.

ROXBURGHE consents.
CALANDER.
TWEEDDALE consents.
KINGSTOUNE consents.
R. FLETCHER consents.

HOLOGRAPH WILL of Colonel James Montgomerie of Coilsfield, 3rd February 1665.

246. I, COLONEL JAMES MONTGOMERIE of Coilsfeild, considdering that ther is nothing moer certain then death, and the tym and maner therof oncertaine, haue resolued to setle my wordlie affairs, that I may be ready to byd the goodwill and pleasure of almightie God, when it shall please him to call me out of this transitorie lyf to his eternall glory. First, I commend my soull to God, hoeping to be partaker of that blised lyf and imortalitie purchased by the merits of Jesus Christ my Redemer, and ordains my body to be buried amongst the faithfull. Item, I nominat, make, and constitut Margaret M'Donald, my wyf, my onlie exetrice and intrometter with all my guds and geere moueable; with pouer to hir to giue inventer therof, confirm testament

thervpon, and doe all other things concerning the said exektrie in deue forme; she always pying my debts therwith, so far as the said exeketrie will extend. Item, I leaue to Alexander Montgomerie my sone, my holl estaite or soumes of moneis deue to me annie maner of ways whatsoever, he pying to his sister, Margaret Montgomerie, tuelf thousand merks Scots, and that at the first teerme after hir mariage; she always haueing the anuell therof from nixt teerme after my decease, and failing laufull airs of hir aune body, to return to him again and the airs of his body. Lykwyse, I ordaine him to py al my debts, so far as the aboue mentionat exeketrie doeeth not extend. And failing of him and the lauefull begotten airs maile of his body, I leaue my said estaite to Major Generall Montgomerie, my brother; he always pying to my daughter, Margaret Montgomerie, the soume of forteie thousand merks Scots, and that vpon the ensueing teerme after the said Allexander's decease, or she to haue securitie in the lands to the full worthe of the said soume, haueing the anuelrents therof termlie and yearlie pyed to hir for hir aliment and good breeding, till it shall pleas God to provyd a creditable matche for hir not marying beloe hir aune qualitie, or without consent and advyse of fouer or moer of hir nearest and noblest freinds; wich, if she shall discreditablelie dispose of hirself without consent and advyse of hir noble freinds, to forfeit the said soume of fortei thousand merks; bot she always haueing a freedome in hir choyse, the person being hir equall, and his fortune anssuerable to hir portion: and failing of thes, my present children and airs maile of my aune body being only on daughter, I leaue always the said portion of fortei thousand merks, and if moer of them, that is to say, being tuo, the eldest threttie thousand merks, and the other ten; and failing of on, the other to succeed, vpon conditions aboue mentioned; and failing of both meale and femall, I leaue all to my aboue mentionat brother, and the laufull airs maile of his aune body; failing of wich, to the present Maister of Montgomerie, and the airs maile of his body; failing of wich, to Francis Montgomerie, second son to the present Eaerle of Eglinton, and airs maile of his body; and failing of all, to the neirest airs maile of lyn whatsoever. Item, I entrust whollie my children, and the maniagment of ther provisions to the said Margaret M'Donald, my wyf, as may be governed by hir to ther best adwantage and profyt, and that all the tym of hir not taking a husband after my decease: and when she shall chance to mary, she to be comptable for hir intermission whatsoever to the persons vnder named; to vit, Sir Heue Campbell of Sesnok, Jhon Chalmers, laird of Gadgirth, Jhon Steuart of Shauewode, Major Heu Bontin, or annie tuo of them, to whom, after my aune decease, and my wyf's being maried again or hir decease, I whollie giue the trust of my children and of what shall belong to them at my deceas; and after hir being maried, I entraet and entrusts Jhon Steuart of Shaewood for the vplifting of the rents of Coilsfeild, and al other rents of lands belonging to me at my decease, and he to be comptable to the aboue mentioned gentelmen, and they to apoint him a fie, and to giue him a commission of factorie, and he to dispose of the said rents by the aboue named gentelmen's direktions and order, as they shall think expedient for the best and gratest adwantag of the children. And when it shall please God to remoue annie of the entrusted worthie freinds and

gentelmen, the remaining heath and by thes I giue them full pouer to make choys of on other good freind or neighboure, as they conceaue may be most helpfull to them for the good of the children; and so to continue without annie other kynd of choysing of tutors or curators dureing the minoritie of the children; onlie, I desyr and apoints thes vndernamed honorable and noble persons overseers to my children — the Eaerls of Eglinton, Winton, Linlithquoe, Calender, Louden, the Viscount of Kyngston, Lord Montgomerie, Lord Almont, Gènerall Major Montgomerie, my brother. It is always to be vnderstode heirby that nothing heir is intended in prejudice of my wyf's lyfrent and conjunctfie according to hir right, bot that she thankfullie posses and enjoy the same dureing all the days of hir lyf; and this I ordean my last will and testament, to all and sundrie whom it effeirs, I notifie and make knawen be thir presents, wrytten and subscryued by my aune hand, at Edinbruch, the 3 of Februarie, the yeaer of God on thousand six hundreth thre scoer fyue. JA. MONTGOMERIE.

WARRANT by the Chancellor Rothes to Hugh seventh Earl of Eglintoune, 25th February 1667.

247. WHERAS maney hes been deficient in the shirrifdomes of Aire and Ranfrow who wer charged by authority in his Majesties name to haue joyned with his Majesties forces, and others who had certane knowledge, and yet did not, conforme to the laues of this kingedom, joyne and contributt for the suppressing of these rebells; These are therfor ordaineing Heugh Erle of Eglintoune to give notice to ws of the said persons within the saids shyres, or to take such security of such persones, as that heerafter they may not be deficient of ther allegeance and duety in the lyke caise. Dated at Holyrudhouse, this 25th of February 1667.

ROTHES.

COMMISSION by King Charles II. to the Earl of Lowdoun, the Lord Montgomerie, and others, 3rd September 1668.

CHARLES R. [The Cashet.]

248. CHARLES be the grace of God King of Great Brittane, France and Ireland, Defender of the Faith, To all and sundrie our leidges and subjects whom it effeirs, Greiting: Foralsemuch as we, for the good and preservation of the peace of this our ancient kingdome, have thought fitt to setle a militia within the same; and whereas be the tuentie fyfft act of our third session of Parliament, there is ane certain number of Horse and Foot appointed for each shyre, and particullerlie for the shyres of Air and Renfrew, on thousand three hundred thretie three foot, and on hundred seaventie and sex horses; and we finding that it may most conduce for our service that in place of the foot some moe horses be listed; and considering that the adding of sixtie foure horses for the said shyres will be ane suitable burding to the number appointed be the said Act of Parliament; we do therfor, with the advysse of our Privie Counsell, nominat, appoint and constitut yow the Earle of Lowdoun, the Lord Montgomerie, Lord Crightoun, Lord Cathcart,

the Lord Bargeny, the Lord Cochran, Sir James Dalrymple of Staire, Colonell James Montgomerie, Sir Johne Cochran of Ochiltrie, Johne Chalmers of Gadgirth, Sir Johne Dalrymple younger of Staire, Sir Thomas Wallace of Craigie, William Cunynghame of Brounhill, late provest of Aire, Thomas Knight of Adtoune, present provest of Air, the Laird of Blair, the Laird of Kilburnie, James Brisbane younger of Bishoptoun, Mr. Johne Cunynghame of Lambruightoun, Mr. James Cunynghame shirreffe depute of Air, Hamilton of Grange, Johne Boyle younger of Kelburne, David Montgomerie of Langshaw, Sir Robert Montgomerie of Skelmurlie, James Crawfurd of Ardmillan, Mr. Thomas Kennedy of Beltersen, Alexander Kennedy of Craigoch, Johne Muir of Auchindraine, Mackilveen younger of Grimit, Kennedy of Kirkmichell, James Richard of Barskimmine, Ronald Chalmers of Polwherne, Campbell of Shankstoun, David Blair of Adamtoun, Cunynghame younger of Robertland, Mountfwid of that ilk, Kennedy of Knokdaw, Johne Cunynghame of Enterkin, the Earle of Glencairne, the Lord Rosse, Master of Cochran, Sir Archibald Stewart of Blakhall, the Laird of Howstoun, Sir George Maxwell younger of Newarke, Sir Johne Shaw younger of Greinok, James Dunlop of Househill, Gaven Walkinshaw younger of that ilk, Archbald Stewart of Scotstoun, Cornelius Crawfurd of Jordanhill, the young Laird of Bishoptoun, Robert Pollok of that ilk, the Laird of Castlemilk, Colonel Alexander Cochran, Mr. Hew Montgomerie, shirreffe-depute, and the Captaines, Lievetenants and Cornetts of the troupes to bee raised out of the saids shyres, to be our Comissioners for settling and ordering the militia of the saids shyres of Air and Renfrew, and burghs within the same; and to that effect do heirby requir and authorize you to meet at Irwing, the seventeinth day of September instant, and then and their to list the number of tuo hundred and fourtie horses to be in three severall troups, each troup consisting of three score and ten, to be under the comand of the Earle of Eglingtoune, the Earle of Cassells, and the Maister of Cochran, and that the thretie horse remaining, which are to be listed out of the pairts of Renfrew next ajacent to the shyre of Dumbarton, be reserved and not joyned to any of the rest of the saids troups, untill we declair our pleasur anent the militia of Dumbarton, to be a setled militia within the saids shyres; with power to the saids Commissioners to devyde themselves in tuo Committies for the more effectuall prosecution of our service, and for doing every thing else for the ordering and disposing of them, conforme to the instructions theirwith sent of the dait of thir presents, subscribit be the Lordes of our Counsell, or such uther instructiones as ye shall from tyme to tyme receave from our Counsell: Given under our signet, at Edinburgh, the third day of September, and of our reigne the twentie yeir, 1668.

Rothes, Cancell.	Caithness.	W. Drumond.
Hamiltoun.	Kincardin.	J. Lockhart.
Tweeddale.	Linlithgow.	Ro^{t} Murray.
	Sinclare.	

LETTER from the Privy Council to Hugh seventh Earl of Eglintoun, dated 3rd September 1668.

249. RIGHT HONOURABLE—His Majestie haveing thought fitt, for secureing the peace of the kingdome, to appoynt a militia to be setled therin with all diligence, and in order therto hath named your Lordship, the Erle of Cassills, and Master of Cochrane, to be captanes of the thrie troups that are to be listed furth of the shyres of Air and Renfrew (haveing thought fitt that in place of the foott some more horses might be listed nor the number specified in the Acte of Parliament); and we being comanded by His Majestie to constitut Commissioners for ordering of the militia in the respective shyres, with fitt powers and instructiones; Wee have accordinglie sent yow the inclosed comissione and instructiones for that effect; and appoynts yow to give notice heirof to the rest of the Commissioners of both shyres to meitt at Irwing, the seventeenth day of this instant, for your first meiting; and then and there yow are to delyver to them the saids commissione and instructiones, and yow are to act and proceed furthwith according thereto with all possible care and diligence, as yow tender the good of his Majesties service. Yow are to send to the Chancellour, with all speed, the names of your inferiour officers, that the samen may be knowne and approven by the Councill. We are your affectionat frinds,

	LINLITHGOW.	ROTHES, Cancell.
	TWEEDDALE.	HAMILTON.
	SINCLARE.	CAITHNES.
	W. DRUMOND.	KINCARDIN.
Edinburgh, 3d September 1668.	J. LOCKHART.	A. PRIMEROSE.
	ROT. MURRAY.	

For the Earle of Eglintoun: to be communicat to the rest of the Commissioners of the Militia of the shyres of Air and Renfrew. For the King's service.

ACCOUNT rendered by the Revd. Matthew Fleeming, minister at Culross, for board, education, etc., to Lord Montgomerie, from Candlemas 1669 to Lammas 1673.

Candlemas 1669.

250. ACCOMPT of particular deburstments by Mr. Matthew Fleeming for my Lord Montgomeries vse, (besyds the merchant accounts which ar a part by themselvs) from Candlemas 1669 to Lambas 1673.

	£b.	s.	d.
Imprimis, for a pair of gloves	00	03	00
Item, for 2 pair shoes	01	16	00
For making and furnishing a mourning sute to Thomas Muschet, my Lord's page	08	13	00
For 3 pair shoes	02	14	00
For 7 pair mending, wherof som wer the shoes my Lord brought with him	01	04	00
Item, given to a contribution vpon a Sabbath	00	12	00

	£b.	s.	d.
Item, to the post for bringing hom my Lord's mourning sut from Edinburgh	00	09	00
Item, to the post for bringing the cloath which was his man's mourning sute, and som letters	00	08	00
Item, for mending cloathes and stokens for him and his man at severall tyms	01	00	00
Item, for 6 pair shoes to him and his man	06	00	00
Item, for 11 pair mending	01	02	00
Item, for an Inglish bible	03	12	00
Item, for a musick book	00	08	06
Item, of drink money at the laird of Pitliver's house on night	01	00	00
Item, for gloves	00	03	04
Item, given to doctor Conningham when my Lord had the smal pox, 15 dollers, and to his man on doller — extends to	46	08	00
Item, to a man who was sent to the doctor with a horse, but got him not then	02	00	00
Item, for the two horses that wer hyred for the doctor when he cam	04	04	00
Item, to the man who was sent to Eglinton to acquant my Lord his father	03	09	00
Item, for a Latin and English dictionar	12	00	00
Item, for another book called Janua Linguarum	01	10	00
Item, for shoes mending at several tyms	00	08	00
Item, for making a pisticoat to my Lord	01	00	00
Item, to the post for bringing hom som books and sett som letters	00	10	00
Item, given to the schoolmaster, of quarter payments from Candlemas 1669 to Candlemas 1670, 8 dollers. Item, for a Candlemas gifft at that tym, 3 dollers. Item, to the doctor of the school for the forsaid tym, 4 dollers, and Candlemas gift 2 lib. 8 s.— which extends for that year to	45	18	00
Item, for 3 pair shoes	03	00	00
Item, for a pair of slippers	00	18	00
Item, for 3 pair shoes mending and a pair of soals	00	10	00
Item, for a comb	00	05	00
Item, for 2 shirts to my Lord's man	02	14	00
Item, for a westcoat making to my Lord	00	06	00
Item, to a man who was sent to D. Conningham for advyc when my Lord [had] a flux	00	18	00
Item, for making a sute of stuff cloathes and a long coat to my Lord's man	02	10	00
Item, for a skin to cover my Lord's dictionar, and a wallet to cari books	00	11	00
Item, for gloves	00	06	00
Item, for stokins to my Lord	00	13	06
Item, for making a westcoat to my Lord	00	06	00

	£b.	s.	d.
Item, for a westcoat of plaiding bought to my Lord's man	01	03	04
Item, for stockings to him	01	04	00
Item, for making the westcoat and the stockens	00	11	00
Item, for making a pair of drawers to my Lord, and mending his cloathes and his man's	00	11	06
Item, to the post for letters to Robert Riddel, merchant, and bringing hom my Lord's cloathes	00	12	00
Item, for linnen to be two shirts to Thomas Muschet	02	11	00
Item, for 4 pair shoes to my Lord and his man, and for 3 pair mending	05	04	00

Januar 1671–72.

Imprimis, for making my Lord's rugh coat	01	04	00
Item, for making Thomas Muschet's cloathes	01	10	00
Item, given to the schoolmaster at Candlemas 1671, of stipend 8 dollers, and of Candlemas gift, when on was in competition, 5 dollers. Item to the doctor of the school, 4 dollers of Candlemas gift on, extends to	52	04	00
Item, given for 2 shirts to Thomas Muschet	02	15	00
Item, for dressing stokens and cloathes to my Lord and his man at several tyms,	00	12	00
Item, for a pair of stokens to my Lord	01	10	00
Item, for a string of silver and gold buttens	02	00	00
Item, Septr. 29—71, for 5 pair shoes with several mendings	06	16	00
Item, for Thomas Muschet 3 pair at 1 lib. 10s. pair	04	10	00
Mair to him 2 pair soaled, and on pair mended	01	00	00
Item, for tuo shirts to him	03	00	00
Item, for a knyf to my Lord	00	06	00
Item, for cloathes mending, and mending of linings	00	06	00
Item, to Middleton Hyner for going to Edinburgh for Dr. Coningham when my Lord had the fever, and for going bak again for drugs, post	04	16	00
Item, to the boy went to the Weems to his grandmother	01	02	00
Item, to the man who went to Eglinton	02	18	00
Item, to James Thomson for his hors to the ferri for Dr. Coningham	00	12	00
Item, for two hors to tak him bak to the ferri	01	04	00
Item, given to the doctor at that tym for his fyv dayes attendanc	66	13	04
Item, to his man	02	18	00
Item, for holland to be dead shirt for my Lord	08	15	00
Item, for 3 ells 3 quarters of serg to be a westcoat to my Lord and a pair of drawers, and half an ell of plaiden for vnderstockins	03	02	04

	£b.	s.	d.
Item, for making a long rugh coat to his man	00	16	00
Item, for making my Lord's cloathes at Martinmas 1671	02	18	00
Item, for 2 pair of gloves to him	00	06	00
Item, for stockens to Thomas Muschet	01	04	00
Item, for lyning to my Lord's doublet	00	07	06
Item, given to the schoolmaster at Candlemas 1672, and to the doctor as befor, 18 dollers, for quarter payments and Candlemas gifts	52	00	00
Item, given for cloathes mending at several tymes	01	04	00
Item, for Majora Colloquia Erasmi, Carmina Proverbialia, and Virgil	03	08	00
Item, for a stand of kyles	00	12	00
Item, for 3 pair gloves	00	10	00
Item, for a hat to Thomas Muschet	01	12	00
Item, for bringing hom my Lord's cloathes from Edinburgh, July 14, 1672	00	12	00
Item, for mending cloathes	00	10	00
Item, for lining to be 2 shirts to Thomas Muschet	02	14	00
Item, for making a sute of cloathes to Thomas Muschet	01	16	00
Item, for making the forsaid sute to my Lord	02	17	00
Item, given in an account of shoes for my Lord, October 1672, viz. 6 pair,	07	04	00
Item, for Thomas Muschet 2 pair	03	04	00
Item, for David Frow a pair	01	12	00
Item, for shoes mending	00	02	00
Item, for a book, viz. Vxtores Epistles	00	10	00
Item, for making a westcoat to my Lord, and mending his gown, with several other things	01	00	00
Item, to the chirurgian who cured my Lord's elbow when it was disjointed	07	02	08
Item, for cloath to be a rugh coat to my Lord	05	00	00
Item, for making of it, togither with a pair of breeches (the cloath wherof was gotten from our merchant in Edinburgh, and is in his compt)	01	08	00
Janur 1673.			
Item, for gloves to my Lord	00	04	00
Item, for making David Frow's cloaths	02	08	00
Item, to Hercules Hunter, chirurgian, for 2 severall bloodlettings to my Lord	04	13	04
Item, for fiv bleedings to David Frow when he was sick	03	00	00
Item, for David Frow, during the tym of his siknes for piles, purging potiones, oyles, syrups, conserves, ptisans, etc.	09	10	00
Given to the schoolmaster and doctor, Candlemas 1673, as befor, 18 dollers	52	00	00

	£b.	s.	d.
Item, given for a new hat to my Lord	07	04	00
Item, to the post for bringing hom the furnitur and cloath of my Lord's cloaths from Edinburgh, March 1673	00	10	00
Item, for making the forsaid sute of cloathes	02	08	00
Item, for stokens to David Frow	01	14	00
Item, for a pair of shoes to my Lord	01	04	00
Item, for an ell of holland to be slieves to my Lord	03	00	00
Item, for 2 pair gloves	00	18	00
Item, for Virgill, Horas, Tirenc, with Buchanan's chronicle	08	16	00
Item, given each Sabbath to the poor 3s. 4d., quhich in 4 year extends to	34	13	04
Item, given to him self for his play and spending money during the spac of the forsaid four year, wherof no particular account was keept, but being estimat within the worth at 3s. a week, extends in 4 year to	31	04	00
The former particular debursments ar from Candlemas 1669 to Candlemas 1673. Followes som further particular debursments from Candlemas 1673 to Lambas 1673.			
Imprimis, to the schoolmaster from Candlemas 1673 to Lambas 1673, being the last half year, 4 dollers	11	04	00
Item, to the doctor of the scooll, 2 dollers	05	12	00
Item, 7 pair shoes to my Lord and his man, wherof 2 pair was gotten befor Candlemas 1673—extending to	08	04	08
Item, for a pair of bootes to my Lord	06	10	00
Item, of drink money for bootes and shoes	00	08	00
Item, for his horses to my Lord and his man and ferri fraught, etc., when his grandmother desyred he might com to Edinburgh to see hir, May 5, 1673	05	16	00
Item, for a brush	00	06	00
Item, for fyv quarters of scarlet ribbands to my Lord	00	05	00
Item, of drink money to the garner of Pitliver, who brought a basket of fruit to my Lord	00	06	00
Item, for a pair of stirup irones	00	16	00
Item, for a pair of lynings to David Frow, with the making	01	04	00
Item, for 3 shirts to David	05	05	00
Item, to the chirurgien for two bleedings to my Lord	04	00	00
Item, for two bleedings to David Frow	01	04	00
Item, for a dose of piles	00	06	08
Item, for a bridle	00	12	00
Item, for a pair of drawers to my Lord, with the making	00	16	00

	£b.	s.	d.
Item, for a pair to David, with the making	00	19	00
Item, for cloathes mending	00	04	00
Item, for the poor money everi Sabbath, from Candlemas 1673 to Lambas,	04	06	08
Item, for som books bought by David Frow, and som expens in my Lord's return from Edinburgh	05	00	00

Summa totallis is 668 lib. 19 s. 08 d.

RECEIPT by Matthew Fleeming, minister at Culross, to John Montgomerie of Beoch, chamberlain to Alexander eighth Earl of Eglinton, for 1000 merks, on account of Lord Montgomerie's board, etc., 12th August 1673.

I, MR. MATTHEW FLEEMING, minister att Culross, grants me to hav received from John Montgomerie of Beoch, chamberlane to the Earle of Eglinton, the sowm of an thowsand merks Scots money; and that in part of payment of a greater soum due to me vpon the account of my Lord Mongomeries boarding, and other accounts given and to be given in by me for my Lord Mongomeries vse, as witnes thes presents written and subscrived with my hand, att the Abbey of Haliruodhous, Agust 12, 1673.

MATT. FLEEMING.

OBLIGATION by Alexander sixth Earl of Eglintoune to Colonel James Montgomerie and Major-General Robert Montgomerie, 15th May 1659, with DISCHARGE annexed, dated 19th March 1674.

251. BE it kend to all men be thir present letteres, me, Alexander Earle of Eglintoune, et cetera, for sameikle as Dame Anna Livingstoune, my lady, at her deceis, left to Colonoell James and Major-Generall Robert Montgomeryis, her sonnes, procreat betuixt her and me, certane silver worke pertaining to her, and received by me with her at our mariadge, and desyreit and appoynted me to give and delyver the samyn to our said sonnes, reserveing my owine lyfrent vse therof: Therfor witt ze me, in consideratioune of the same, and for certaine other good cawses and considerationes moveing me, to have givne, granted and disponned, lykeas I, be the tennour heirof, give, grant and disponne to the said Colonell James and Generall-Major Robert Montgomries, my said sonnes, eqwally betuixt them twa, ther aires, executouris or assignayes, all and haill the said silver worke wnderwryttne; namely, Ane gilt silver bassen with ane lawer; Item, ane plaine silver bassen with ane lawer; Item, ane laigh gilt saltfatt; Item thrie silver saltfatts; Item, two great bowles of silver; Item, two little bowles of silver; Item, two cupes; Item, ane brad cupe; Item, ane little gilt cupe; Item, ane little how cowpe of silver; Item, ane silver box; Item, two dussoune of silver trenchers; Item, tenn silver spounes; Item, two silver chandleres and two

silver stowpes; to be vset and disponnit vpon be the saids Colonell James and Gennerall-Major Robert Montgomries, my sonnes, at their pleasour: Reserveing allwayse to me the vse theroff dureing all the dayis of my lyftyme. It is heirby declaireit that, by and attour the silver worke abouewrettin now disponnitt be me to my saids sonnes, in maner abowespecifiatt, their is ane great gilt bassen with thrie feit, and ane lawer conforme, with ane heigh gilt saltfatt and four gilt chanlours, which did not pertaine to my said lady, nor was received be me with her at our mariadge, bot belongis to the house of Eglintoune; and which gilt silver worke shall all pertaine and belong to Hew Lord Montgomry my eldest sonne aifter my deceise: which dispositioune abouewryttne, heirby maid by me to my saidis sonnes of the saids silverworke abowementionnat, I bind and obleidge me, my aires, executours and successours to warrand to the saids Colonell James and Generall-Major Robert Montgomries, my saids sonnes, and their forsaids, to be good and sufficient at all hands; and that the samyne shall be givine vp and delyvered to them eqwallie betuixt them two and their forsaids imediatly aifter my deceis; consenteing thir presents be registrat in the bookes of any judicattorie established or to be established, theirin to remaine ad futuram rei memoriam; and, if neid beis, that letteres may pas heirevpone in forme as effeires; and constitutis my procuratours: In witnes quhairof, writtne be Thomas Ogiluy, servitour to me, the said Earle of Eglintoune, I have swbscriuit thir presents with my hand, at Eglintoune, the fyftenth day of Maij, I^{M} VI^{c} fiftie nyne yeires, befor their witnesses, Hew Montgomry, Alexander Ramsay, and the said Thomas Ogiluy, wrytter heiroff.

Eglintoun.
Heugh Montgomerie, wittnes.
Alexr. Ramsay, witnes.
T. Ogiluy, witnes.

Wee, Generall-Major Robert Mountgomery and Dam Margaret Mackedonald, relict of umquhill James Mountgomery of Colsfeild, declair that the tenor of the abovewrittin band was satisfied in the lyftyme of the last deceast Erle of Eglinton, and of the said deceast Colonell James Mountgomery, as witnes our hands, at Edinburgh, the nynteint day of March 1674; befor thir witnesses, Major Hugh Bonntein and James M^{c}Bryd, wryter heirof.

R. Montgomerie.
Margaret M^{c}Donald.

PASS by James Duke of Buccleuch and Monmouth, to Sir Robert Mongomery of Scarmerly, 23rd June 1679.

James Duke of Buccleuch and Monmouth, Earle of Dalkeith and Doncaster, Lord Scott of Askdale, Tindale and Whitchester, Generall of his Majesties Forces, etc.

252. PERMITT the bearer, Sir Robert Mongomery of Scarmerly, quiettly to pass, with his two servants and armes, to his dwelling house att Scarmerly, without any hindrance or disturbance whatsoever, as you will be answerable for the contrary. Given att the Camp att Hamilton, this 23d day of June 1679.

To all Officers and Souldiers, and others whom it may concerne.

INVENTORY of the Jewels, etc., which belonged to Lady Hellenor Montgomerie, Lady Baldoon, at the time of her death, made by order of the Commissary of Glasgow, 13th September 1687.

253. AT the Place of Eglinton, the threttein day of September, I^M VI^C eightie seven years: The quhilk day Mr. John Boyd, Bailzie deput of Cuningham, and Mr. Alexander Craford of Fergushill, having mett, conform to ane ordour direct by the Commisser of Glasgow, to them or any ane of them, daited the seventh day of September instant, and having required from my Lady Montgomerie the cabinets, trunks and others goods belonging to the deceist Lady Hellenor Montgomerie, whilks were put in my Lady Montgomerie's hands, the tyme of or after the said Lady Hellender her deceise: and the said Lady Montgomery having exhibit to them the cabinets, trunks, and others following, the said Mr. John Boyd and Mr. Alexander Craford proceeded, in obedience to the forsaid ordour, as followes—

Imprimis, they ordoured ane black chist of drawers and dressing box to be broken up, in which wes found as followes; viz. ane litle coffer, quhich they having opened, there wes inclosed therin the jewells and others afterspecifeit; to witt, ane pair of braclets, consisting of twelf diamond buttons, each button having five stones, and seven aimathist buttons, each of them having five stones, and of seven turks: Item, two other braclets, consisting of fourtein black agits: Item, ane diamond pendent, consisting of thrittie three stones: Item, ane ring of three big stones and foure sparks: Item, another ring of one big stone and two lesser ones: Item, ane ring with a litle diamond: Item, foure voupes: Item, two lockets of litle aimathists: Item, ane litle locket: Item, ane seed pearle necklace of foure strings: Item, two gold seals: Item, ane gold watch: Item, ane silver watch: Item, two Phildagram silver pocket glasses: Item, ane

child's silver whistle: Item, two silver thoumbles, and two silver pyktoothes: Item, two pair of litle silver clesps: Item, ane silver pyktooth, with ane seale.

Item, there wes farder in the drawers of the said black chist of drawers the particulars following: Imprimis, two big babies and two litle ones, all of white marable, and foure white gilded botles, and two black gilded botles, and three litle black flowr pots and ane big one, all gilded, and twa litle white gilded flowr pots and ane big one, and two tie dishes, and ane litle leam box, and two litle shell mouthed spoons with silver stalks: Item, two Scots course poynt gravats, and two laced gravats, and two pair of course poynt rufles and ane pair laced rufles; the poynt rufles are poynt de Spang, and ane man's band of gimped poynt, and ane suite of night cloathes, ane band and two pair of rufles of gimped poynt, and twa eln and a quarter in a peece of poynt, and foure litle bits of poynt, and three bits of small grounded lace, and three pair of holland cuffes, and ane pair of cambrick cuffes; and with ther linings there is some peeces of old ribans, and two eln and a half of bustin, and six elns of course harn, and about two elns of lace.

Item, ane breidth of satin on which there hes bein imbroidering, and five elns and a quarter of grein sesnet, and some peeces of old silk lyning of sesnet and firondin, and ane old ryding coat of velvet, and ane love vaill and ane creap one, and ane eln wand, and some old imbroideries for gloves, and ane cushan and two samplers, and some old silk lace colored, and seven dozen of beaten litle silver buttons, and the stalk of a litle silver spoon, and two or three bits of shewings that wes taken of a grein covering: Item, ane bloum coloured satin night bag, and ane peticoat with flowered pecock taills, and ane sad coulered flowered manto lyned with white sesnet, and ane black flowered satin gown laced, and ane black moyhair gown taill and the cover of the bodie in peeces, and ane black imbroidered gown bodie, and ane white tabie petecoat, and ane white tabie collar cloath, both without lace, and nyne yeards or therby of cloath of silver in three severall peeces, and twelf old dornick servits and ane old table cloath, and ane black cloath gown and peticoat, and ane black laced skerf and hood, and ane poynt de Vinice gravat, and ane poynt de spang band, and ane suite of laced christning cloathes: Item, twa pound three unce of old silver laces: Item, some old peeces of silver fringes and garters: Item, fourtein unce and sex drap of silver and gold galown, and ane pair of manto sleives imbroidered with silver and gold: Item, ane sash with silver and gold fringes, and ane staminger for a woman's gown, imbroidered with silver and gold.

Item, ane dressing box and ane shewed cabinet and the forsaid black chist of drawers and coffer: Item, there are the books following; viz. the first and second part of the Dutch Annotationes upon the Bible: Item, Doctor Owen upon the Preservation of the Saints: Item, Burge's Spirituall Refining, in 2do.: Item, Catherwood's Historie of the Church of Scotland: Item, Baxter's Saints' Rest: Item, Durham upon the Fiftie-thrid of Isaiah: Item, Durham upon the Revalation: Item, M^{r} Loves Strenth and Grouth of Grace: Item, Flavell's Method of Grace in bringing home Eternall Redemption: Item, Colling's Actuall Providences: Item, the Ark of the Testament Opened: Item, the Ark of the Covenant Opened: Item, Gilespie's

Misilanie Questions: Item, Lokyer's England Faithfully Watched: Item, Borrowes on Moses' Choise: Item, Bruik's Ark for all good Noahs: Item, Watsone's Airt of Divine Contentment: Item, a Child's Patrimonie: Item, Preston's Breastplate of Faith and Love: Item, Gilespie's Aarone's Rode Blossoming: Item, Sheiphird on the Parable of the Ten Virgines: Item, Hucheson upon John: Item, Howe's Blissednes of the Righteous: Item, Doctor Owen's Comunion with God: Item, Intercourse of Divin Love betwixt Christ and the Church: Item, Flavel's Husbandrie Spirituallized: Item, Review of the Historie of the Indulgence: Item, Burges' Spirituall Refining; in quarto: Item, Contemplations Divin and Morall: Item, Bruce's Way to Peace and Rest: Item, Drexelion's Considerations upon Eternitie: Item, Bruxe's Remedies against Satan's Divices: Item, Marow of Modern Divinitie: Item, Howe's Delighting in God: Item, Lees Triumph of Mercie: Item, Scudas' Dayly Work: Item, Brown's Life of Faith: Item, Durham upon Scandell: Item, Flavell's Seaman's Companion: Item, Dyer upon Christ's Titles: Item, Gutrie's Saving Interest: Item, The Art of Contentment, by the Author of The Wholl Duetie of Man: Item, Baxter's Now or Never: Item, Vincent's Christian Love: Item, The Ladyes Calling: Item, Meid's Almost Christian: Item, Wedderburn's Beleiver's Priviledge: Item, Durham upon Death: Item, Flavell's Saint Indeed: Item, a Pastor's Legacie: Item, Flavel's Sacramentall Meditations: Item, Brown's Second Part of Life of Faith: Item, Allan's Heart Worke: Item, Cobbet upon Prayer: Item, Binning on Principles of Christian Relegion: Item, Abridgment of the Scots Cronicle: Item, Dickson's Therapeutica Sacra: Item, Brunsleye's Brassen Serpent: Item, Mr. Nisbet's Exposition on Peter: Item, Contemplationes Morall and Divin: Item, Pool's Dialogues: Item, Broun upon 'Christ is the Way:' Item, Owen upon Indwelling Sin: Item, Shaw upon the True Christian's Testament: Item, Dickson on the Psalmes: Item, Allan his Vendities Pietatis: Item, Goodwin's Tryall of a Christian's Grouth: Item, Sir Charles Wolsey on Unreasonablenes of Aithiesme: Item, Ferguson upon the Philipians and Collosians: Item, Ferguson upon Thesselonians: Item, S. Yong, Case and Cure of a Deserted Soull: Item, Flavell's Divine Conduct; Item, Durham on the Comands: Item, Hucheson on Haggay, Zacharia, and Malachie: Item, Flavell's Tocken for Mourners: Item, Vincent on Christ's Appearance to Judgment: Item, Palmer's Memorialls: Item, Stub on 'Conscience the Best Freind:' Item, a litle Psalm Book: Item, a litle Bible: Item, Doelitle on the Lord's Sufferings: Item, Doelitle on the Lord's Super: Item, Sacramentall Instructiones: Item, Christopher's Zealous Christian: Item, Gog's Christian Directions: Item, Bates' Considerationes of the Existence of God: Item, Flavell's Fountain of Life: Item, Grapes in the Wildernes: Item, the London Dispensatorie.

At Kilwining, the said day. Followes the Inventar of Lady Hellenor Montgomerie her houshold plenishing.

Item, there were in my Lord's place in Kilwining, the goods particularly following; namely, Imprimis, eight silver spoones, and ane accumbie spoon: Item, six litle silver salts: Item, six

litle pewter salts: Item, ane pewter sugar box: Item, another lese pewter sugar box: Item, ane pewter mustard box: Item, ten pewter plaits, and a litle peuter plate, and a sole plait: Item, seventein pewter trinchers: Item, ane three mutchkin peuter flagon: Item, twa pewter candlesticks: Item, ane pewter chamber pot: Item, ane brass candelstick, and ane hand candlestick, with a case for candle sheirs: Item, ane brass pan with ane hand: Item, another brase pan lesser, with ane hand: Item, ane brasse owen: Item, twa hand bellowes: Item, ane coper tanker: Item, ane looking glass with black mulers: Item, ane brush covered with gilded lether: Item, foure pair of lining sheits: Item, a pair of Scots holland sheits: Item, eight pair of drawing sheits: Item, six codwairs: Item, twa dornick table cloathes: Item, twa round table cloathes: Item, twa dornick towells: Item, sixtein dornick serviters: Item, twa pair of round sheits quhich have bein shewed in palaces: Item, ane pair of fire tonges: Item, ane fire showell: Item, ane puring iron: Item, ane iron ladell: Item, twa lame chamber pots: Item, three stain botells: Item, three glasse botells: Item, ane black serge bed, consisting of foure courtins, three pands, and a ruif peice: Item, seventein peice of black hingers, and two black window courtins; and six black covers for chairs: Item, nyne pair of course blankets: Item, a pair of shewed blankets: Item, twa shewed coverings and a woven one: Item, twa fether beds, twa bolsters and twa cods: Item, ane pair of blankets, lited black: Item, ane woman's syd riding sadle, with tages, curpon and stirop: Item, ane skringe, consisting of foure leafes covered with black.

I, James McBryd in Killwining, grant me, in name and behalfe of Mr. Francis Montgomerie of Giffin, executre creditor decerned be the Comisser of Glasgow, to have receaved fra ane noble lady, Margaret Ladie Montgomerie, the haill jewells, books, goods, plenishing and others particularlie contained in this page and the other tuo pages of this Inventar subscribed be me, (conforme to ane ordor granted be the said Comisser for that effect,) that the same may be valued and confirmed and maid furthcoming to the said Mr. Francis or others having right therto. In witnes quherof I [have] writtin and subscribed this my recept, at Killwining, the thretteint day of September, I^{M} VI^{c} eighty seivin yeirs, befoir thir witnes, George Monro, baillie clerk of Cuningham, and Mathew Frew, merchand in Killwining.

JA. McBRYD.

GEO. MONRO, witnes.
MATT. FREW, wittnes.

NOMINATION by the Estates of Scotland of Commissioners to treat for a Union with England.

Edinburgh, the twenty third day of Aprill 1689.

254. THE Estates of the Kingdome of Scotland doe nominate and appoynt the persones following, being eight of everie Estate, viz., the Earles of Argyle, Crawfurd, Lothian, Annandale, and Tweddale, the Lords Rosse, Cardros and Melvill, for the Nobilitie; Sir John Maitland of

Ravelrig, Adam Cockburne of Ormestoun, Sir Patrick Home of Polwart, Sir Archbald Murray of Blackbarronie, and William Blair of that Ilk, Sir James Montgomery of Skelmorlie, Thomas Drummond of Riccartoun, and the Laird of Grant, for the Barrones; Sir John Hall, Provest of Edinburgh, Sir Charles Halket, Sir John Dalrymple, Mr. James Ogilvie, James Fletcher, Mr. William Hamilton, Mr. John Murray, and John Muir, comissioner for the towne of Air, for the Burrowes, with the Lord Duke of Hamiltoun, their president, as supernumerarie, to meete with such persones as shall bee nominate by the Parliament of England, and to treate concerning the Union of the two Kingdomes.

HAMILTON, P.

INSTRUCTIONS by the Estates of Scotland to those nominated to offer the Crown to the King and Queen.

Edinburgh, 25th Aprill 1689.

255. Instructions by the Estates to the Earle of Argyle, Sir James Montgomery of Skelmorlie, and Sir John Dalrymple, who are nominated to attend the King and Queene, with the offer of the Croune.

YOU are to repaire with all diligence to London, and so soone as you come there, you are to deliver the letter from the Estates to the King's Majestie, and to present to their Majesties, the King and Queene, the declaration of the Estates of this Kingdome, and to reade, or see the same reade in their presence; and you are lykwayes to present to the King the grievances desired to be redressed, with the address for turning this meeting into a Parliament, and to reade or see the same reade.

You are to offer the oath to the King and Queene vpon their acceptance of the Croune, and to see that the same be sworne and signed by them.

After the King and Queene have taken the oath, you are to returne so soone as is possible.

You are to desyre the King's Majestie to interpose with the Estates of Holland, that they may allow ten thousand stand of armes, lesse or more, with ammunition conforme, to bee imported from Holland into this kingdome, by James Dunlope, merchant in Rotterdam, James Boyle, merchant in Glasgow, and George Clerke, merchant in Edinburgh, for the vse of His Majestie's subjects of this kingdome; and to desyre that His Majestie will order these armes to be free of custome, and vther his Majestie's dues, at their arryvall here in Scotland.

You are lykwayis to desyre his Majestie to signifie his pleasure concerning the Earle of Balcarras and the Earle of Perth, who are both prisoners here.

COMMISSION to the Earls of Argyle, Glencairne, and Eglinton, to command a detachment of troops in the service of William and Mary. Edinburgh, 25th July 1689.

256. HIS Grace the Duke of Hamilton, his Majestie's High Commissioner, and the Lords of his Majestie's privie counsell, reposeing speciall confidence in the couradge and conduct of the persones afternamed, and haveing sufficient experience of ther loyalty to ther Majesties, King William and Queen Mary, doe heirby give and grant full power, warrand and commissione, to Archbald Earle of Argyll, and, in his absence, to John Earle of Glencairn, to be Commanders in chief of the detatchment underwreitten, ordered to be sent to the west Highlands by ane act of Counsell, of the date of these presents; viz., the regiments of the Earle of Argyll, the Earle of Glencairne, and the Lord Angus, and the troops of horse under the command of the Earle of Eaglinton and Captain William Bennet of Gruibbet, and the two troops of dragoons commanded by Captain Sir Alexander Hope of Carse, and Captaine John Home of Nynwells; and sicklyke, to Alexander Earle of Eaglinton, first Captain of horse, to be commander of the wholl horse and dragoons of the said detatchment under the said Earl of Argyll; and, in his absence, the said Earle of Glencairne; with full power, warrand and commissione, to the said Earle of Argyll, and, in his absence, the said Earle of Glencairne, to call out all the heretors, chieftans of clannes, and fenceible-men within the shyr of Argyll or adjacent places of the shyres of Perth and Invernes, or any uther places wher they may have instructiones from the Counsell, and to prosecute with fyre and sword, and all wther acts of hostility, the Viscount of Dundie, and all persones whatsomever, who ar or shall be found in armes for the late King James, in oppositione to ther Majesties' government, or who have or shall joyne themselves to the Viscount of Dundie, or any uthers in rebellione against ther Majesties: as also againest all persones within the forsaids bounds, who shall refuse to joyne with ther Majesties' forces for opposeing the saids rebells: impowering heirby the saids respective Commanders to secure the persones of such as shall refuse as said is, and to seize ther goods for ther Majesties' use and subsistance of ther troopes now in tyme of warr; with power to the saids Commanders to assault and take in, and garisone the houses of such of the rebells as shall resist, or, being required, shall refuse to joyne his Majestie's forces: and generally, with full power and commissione, as aforsaid, to them to doe and performe all wther things in prosecutione of this commissione, conforme to the rules and discipline of ware, for ther Majesties' service and opposeing of any rebells. And his Majestie's High Commissioner and Lords of Privie Counsell doe heirby indemnifie the saids Earles of Argyll, Glencairne, and Eglinton, and the wther persons abovewreatten, heirby commissionat, and the wholl officers and souldiers of the said detatchment for all slaughters, mutilationes, fyre-raiseings, and uther acts or deeds of hostility whatsomever to be done or committed be them or those under ther command, in prosecutione of the said commissione: Requyreing and commanding heirby the saids Earles of Argyll and Glencairne, and wther commanding officers above named, to obey such orders as they shall receive from tyme to tyme from the Lords of his

Majestie's Privie Counsell, or from Generall-Major Mackay; and the wholl officers and souldiers of the said detatchment to obey all such orders and directiones as they shall receive from tyme to tyme from the Earle of Argyll, or, in his absence, the said Earle of Glencairne, or from the uther respective commanding officers, conforme to the rules of military discipline. Signed be his Majestie's said High Commissioner and the Lords of Privie Counsell, at Edinburgh, the fyfth day of July, I.M VI.c eighty nyn years.

Hamilton.	Crafurd, P.
Douglas.	Cassilles.
Southerland.	Annandale.
Kintore.	Rosse.
Carmichaell.	James Montgomerie.
Pat. Hume of Polwart.	S.r H. C. Calder.
A. Brodie.	Jo. Dalrymple.
Ad. Cokburne	A.r Murray.
John Hall.	J. Maitland.
Jo. Maxwell.	

Memorial by Sir Alexander Maxwell of Monreith, Baronet (husband of Lady Jean Montgomerie, daughter of Alexander ninth Earl of Eglinton), for the Gentlemen he has named to bee tutors and overseers of his children. [Circa 1728.]

257. The making or undoing of young gentlemen depends soe much on a right turn of education, there cannot be great enough care taken to have my sons in good hands, will notice there behaviour, and guard them against receiving bad impressions in their principles or manners. For this end, a person of prudence, probity, and good understanding would be found out to take the charge of my sons, bee constantly with them, and make it his cheif studie to have them right brought up; keep them from evill and mean company; not to suffer them to be idle, mispend time, or doe any thing is base or dishonourable: one that is capable to give them right notions and impressions of things, and to form there minds to virtue. Noe mony should bee spared to engadge a right man for this charge, who would discharge this trust faithfullie.

When my son has passed thorough the schools and colledges at home, cause him read the Scots Law: At the age of twenty, and noe sooner, let him bee sent over to Leyden, to read law, history, philosophy, or any thing else is taught there; where he is to stay closse two years reading, or longer if he inclines to it. Tho' he should not profit much by his reading then, yet it will put him into a method of reading will afterwards doe him a great deall of good when ever he intends to apply himself. I speak of Law as of the cheif studie; for tho' he doe not incline to follou the profession of the law, yet it is soe necessar to know for self preservation,

a man is at the greatest losse to be ignorant of it; being exposed to the catches of his neighbours, and will occasion him to spend a great deall of mony in getting advice about his affairs even in small matters; or, if he acts without advice, will run him into many snares. Noe man can make any considerable figure without understanding both our municipall laws and the civill law. After having employed his time well at Leyden or Utrecht, — tho' Leyden is the place where they profit most, and the best professors are, few or noe diversions to take them off there studies, which there is enough of at Utrecht. Let him goe travell a year thorou France and Flanders. I have made ane allouance for all my sons to be educated abroad; if the tutors think them fit for it, the modell mentioned here may serve for them all. If they incline not to bee scholars, but to the military or merchant trade, it is lost mony to keep them at books; only give them such ane education as may fit them for the trade they incline most to follow, and may be usefull in any station of life.

For my daughters, any of them has not been educated at Edinburgh before my death are to be sent there to stay two years to learn what is thought proper for them by there freinds. Because that will be more then ane ordinar charge, I have made ane allouance for it far above the interest of there portions: It is absolutly necessar to have a discreet servant about them, who will take authority over them to restrain them from doing what they have a mind, and to bee watchfull they keep noe bad company, nor allou them to converse with any bodie but those that are suitable company for them. More young women are ruined by being under noe restraint and getting all there freedom as any other way. While there aunt Jean lives at Edinburgh, they may bee sent to live with her; and a house taken for them to stay together untill they be educated and come to have some discretion. I make noe question but there aunt will be most carefull to have them bred up right if they follou her advice. I doe alsoe earnestly recomend them to the care and oversight of my Lady Galloway and my Lady Effy Lockheart, who onlie can make up to them the unspeakable losse of there dear mother; — they being persons soe capable to direct and advise them as to there conduct and behaviour; who I hope will use the freedom of a parent to tell them of and reprove their faults, and use the same authority over them as I would doe; having ordered it soe, that none of my daughters can marry without there expresse consent, else they are under a forfeiture. Besides, of hou great advantadge will these persons freindship and countenance bee to them in every respect, seing they cannot bee in soe good company, would intreat, as the greatest favour and kindnesse can be done me or them, to allou my children to bee with them as often as possible without being troublesom.

Having a great many parks in my oun hand, which can never be manadged by servants with any advantadge to a minor, who are more ready to make there oun profit as to mind there master's interest, nor have they judgement or capacity for soe great a trust, doe think it most proper that my parks, with all the stock is in them, be put to a roup and sold to the best advantadge; and that the highest offerer, who is a responsible man, should have a lease of them till my son be of

age. You will find them in the rent roll book with the rest of my estate. There rent is a 1000 merks yearly,—under what I used to make of them in ordinar years. Nor did I reckon on what I made out of my corns, or the beef and mutton was made use of in my family; all was charged on the oxen and coues were sold. This, with the hay and horses, will make a very great difference. Whoever is the tacksman of the grounds must be strictly bound, under a penaltie, to leave all the houses he possesses, such as barns, byers, kilns, or any houses where herds and servants lives, in good and sufficient condition: as alsoe the park dikes, gates, and ditches must be vieued, at his entry, by four men of skill in those matters, to make a written report of there condition, to be signed by them and given in to the tutors; and the same men must alsoe vieu them at the end of the tack, to consider if they be in a worse caice, and to estimat them.

The tacksman must alsoe bee bound up not to plough above fiffty bolls souing of the parks during the last four years of his tack, and not to take more as three cropts following out of any one ground. The price of the stock of my grounds, when sold, is to be payed in to John Binning, my agent, for clearing off any debts I may be ouing, and the rest to bee lent out on security, for paying the children's portions: as alsoe, what mony is made out of the estate after all annuall incumbrances are cleared, such as the maintenance of my son and the rest of the children, my mother's jointure, or any other that is to be payed as ane annuall charge on the estate, the surplus to be payed in to John Binning, that he may lend it out by the curators' advice, and receive in the annual-rents, to be put to such uses as the manadgers shall direct.

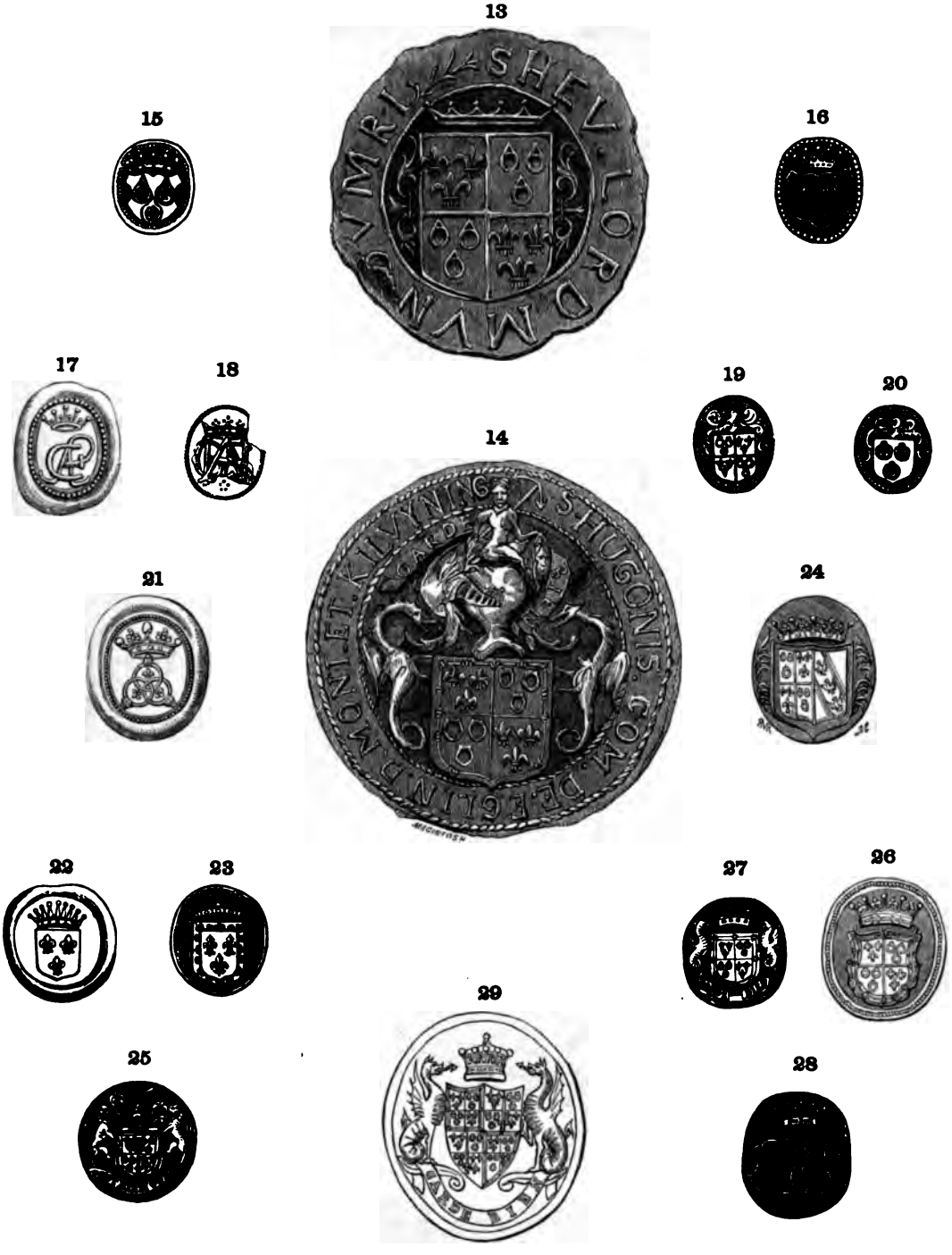
As the stock to be disposed on at my death will be of a considerable value, it is worthy of consideration that it may be done to the best advantadge: whoever has a mind to take the parks will probably desire to buy the sale stock is in them. The rule for this is the prices they were bought in at, with the expences and interest of the money, and a proportion of the rent for the time they have been in the grounds: If this cannot bee got, they must stay in the grounds till they bee fat, and sold at home, if merchants will buy them; or send them up to England with William Dun, to be sold there. As for the milk stock of coues, and the breeding stock, a person of skill must be joynd to William Dun to see this stock disposed of at a right value, and to have the most made of it; which must be done by a publick roup. What coues are old and cannot be got sold for breeding, must stay on the ground till they be made fat, and sold at the Mertimasse time: for those that are young, there is noe doubt of there selling to good advantadge: for horses, sheep, corn and barley, there will be noe such difficultie—the last two being alwaies in great request, and goes off at good prices. The first two must be disposed off at such prices as can be got; only horses of value would sell much better at publick fairs and mercats as in such a retired corner as this, where they are all provyded. Grasse must be reserved from the tacksman for any part of the stock is undisposed, for the space of half a year or longer, till they bee got sold: alsoe it would bee considered, if he possesse the mansion house and gardens with the furniture, hou he is to keep them in condition; and to oblidge him to furnish house room, corn and hay when the manadgers shall come on my son's accounts.

A person of knouledge and discretion should be wyld out to be chamberlain to the estate, capable to keep courts, adjust and setle all differences amongst the tenants, to keep them from going to other courts to spend there time and mony; who has integrity not to accept of bribes from them, but to doe justice impartially; who has skill and consideration to put out tenants when they fall weak, and bring in others of substance in there place. The greatest part of my estate being in tacks—onlie a few touns are not soe—it may happen these who have tacks may fall low, he must be oblidged to find baile, and to keep up my jurisdiction, particularly that of Admirall in my own bounds. As there will be noe use for the service and casualties payable by the tenants till my son is of age and going to keep family, there service may be rentalled at twenty merks the plough, which they gave me when they were to pay noe service: alsoe they pay for the stone of butter four pund; for a goose a merk; for a capon half a merk; a groat for a hen; two pence for a chicken; eight pound for a swine: These are the prices they pay me when they doe not pay them in kind.

When the tacks of the miln of Apilbea and miln of Mochrum are out, and neu tacks to be given, it would be necessar to oblidge the millers to uphold these milns in stones, timber, iron, and all other necessaries, during there posessions; to leave them in good and sufficient condition in all those materialls: this they will rather doe as pay entry for them. The milns of Monreith and Aries are already set in that manner. A factor will then have noe opportunity of charging of accounts for repair of milns. The entries payed by the tenants are marked on the back of there tacks, and in the rent roll. The gardens to be let to a gardiner, who will engadge to keep them and the planting in as good a state as at my death.

These hints are onlie offered to the Honourable Gentlemen not by way of rule, but with submission to there better judgement, to make use of as far as they find convenient.

1. John Mundegumbri of Eagleshame, c. 1170.
2. Rodolph de Eglintoun, 1296.
3. Godfrey de Ardrossan, 1296.
   [illegible]ohn of Moray, 1361.
   [illegible]ander, Lord Montgomerie, 1445.
   [illegible]arl of Douglas, 1444.
7. William, Earl of Douglas, 1451.
8. Hugh, Lord Montgomerie, 1488.
9. Hugh, second Earl of Eglintoun, 1545.
10. John Hamilton, Archbishop of St. Andrews, 1549.
11. Sir Robert Montgomerie of Skelmorlie, 1600.
12. George, third Earl of Wintoun, 1608.



13. Hugh, third Earl of Eglinton, 1552.
14. Hugh, fifth Earl of Eglintoun, 1598.
15, 16. Alexander, sixth Earl of Eglintoune, 1612.
17. Anna, Countess of Eglintoune, 1615.
18. Anna, Countess of Winton, 1617.
19. Henry Montgomerie of Giffen, 1617.
20. Alexander Montgomerie, his brother, 1617.
21. Lady Anna Montgomerie, 1649.
22, 23. Hugh, seventh Earl of Eglintoun, 1661.
24. Alexander, eighth Earl of Eglintoun, 1669.
25. Sir Robert Montgomerie of Skelmorlie, 1704.
26, 27. Alexander, ninth Earl of Eglintoune, 1720.
28. Susanna, Countess of Eglintoun, 1730.
29. Hugh, twelfth Earl of Eglintoun, 1800.

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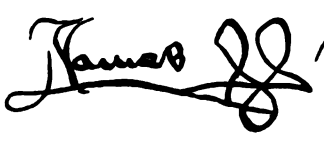

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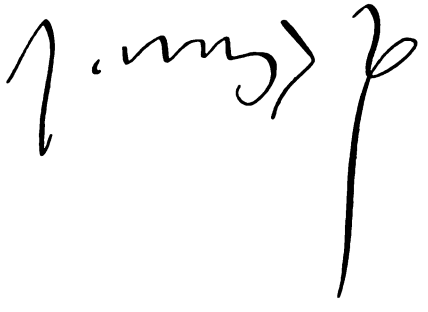

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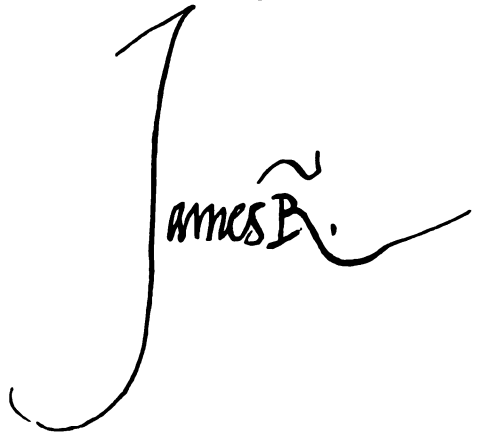

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1. King James II., 1452.
2. King James IV., 1498.
3. King James V., 1524.
4. Queen Margaret, 1524.
5. King James V., 1537.
6. King James V., 1542.
7. King Henry (Darnley), 1565.
8. King James VI., 1579.

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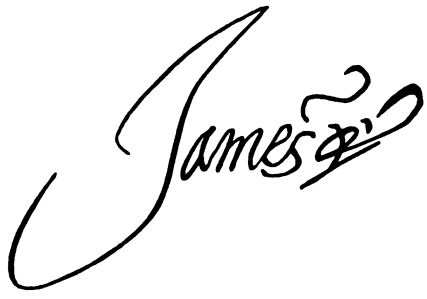

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1. King James VI., 1598.
2. King James VI., 1615.
3. King Charles I., 1627.
4. King Charles II., 1651.
5. James Earl of Arran, Regent, 1545.
6. James Earl of Arran, Regent, 1548.

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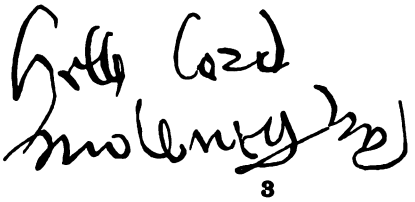

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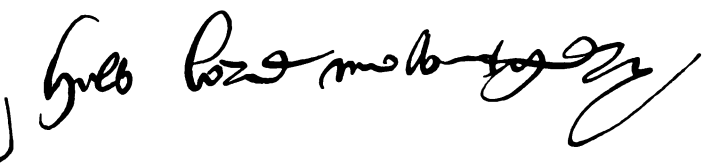

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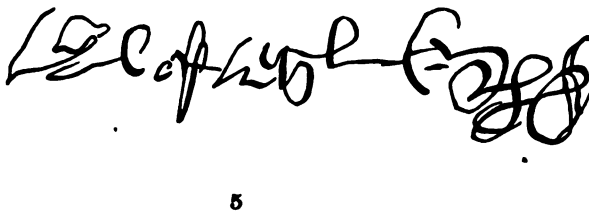

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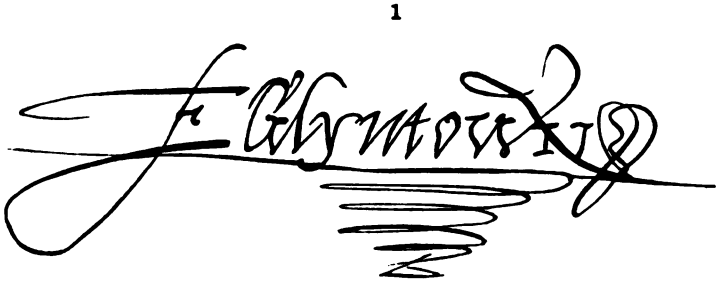
1. Hugh Lord Montgomerie (afterwards Earl of Eglinton), 1498.
2. Hugh Lord Montgomerie (afterwards Earl of Eglinton), 1500.
3. Hugh, first Earl, 1506.
4. Hugh, first Earl, 1512.
5. Hugh, Master of Eglintoun, afterwards third Earl, 1545.
6. Hugh, second Earl of Eglinton, 1546.
7. Hugh, third Earl of Eglintoun, 1555.
8. Hugh, third Earl of Eglintoun, 1576.



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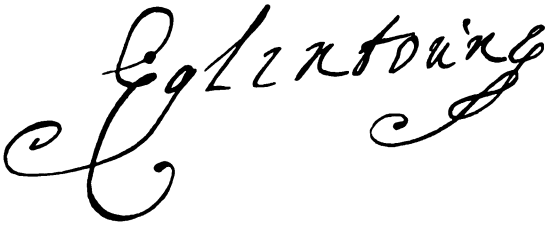

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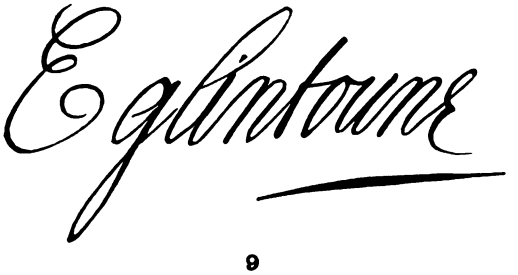

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1. Hugh, fourth Earl of Eglintoun, 1585.
2. Hugh, fifth Earl of Eglintoun, 1598.
3. Alexander, sixth Earl of Eglintoun, 1613.
4. Hugh, Lord Montgomerie, 1633.
5. Hugh, Lord Montgomerie, 1643.
6. Alexander, eighth Earl of Eglintoun, 1669.
7. Alexander, ninth Earl of Eglintoune, 1707.
8. Alexander, tenth Earl of Eglintoune, 1739.
9. Hugh, twelfth Earl of Eglinton, 1808.

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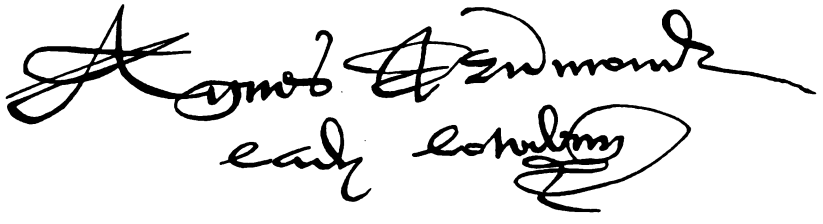

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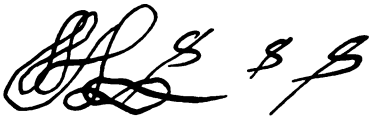

1. Marioun Setoun, Countess of Eglintoun, 1540.
2. Agnes Drummond Lady Lowdoun, Countess of Eglintoun, 1562.
3. Lady Jane Hamilton, Countess of Eglintoun, 1580.
4. Margaret Montgomery, Countess of Eglintoun, 1604.
5. Anna Levingstoun, Countess of Eglintoun, 1612.
6. Anna Levingstoun, Countess of Eglintoun, 1612.

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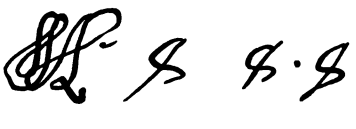

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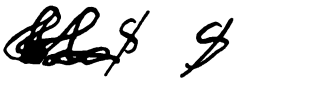

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1. Anna Levingstoun, Countess of Eglintoun, 1615.
2. Anna Levingstoun, Countess of Eglintoun, 1615.
3. Anna Levingstoun, Countess of Eglintoun, 1615.
4. Margaret Scott, Countess of Eglintoun, 1645.
5. Marie Leslie, Countess of Eglintoun, 1642.
6. Elisabeth Crichton, Countess of Eglintoun, 1674.
7. Susanna Kennedy, Countess of Eglintoun, 1727.
8. Lady Anna Montgomerie, 1649.

1. James Montgomerie, son of Viscount Montgomerie, 1629.
2. Henry Montgomerie, son of sixth Earl, 1632.
3. Colonel James Montgomerie of Coilsfield, 1647.
4. Hugh, third Viscount Montgomerie, 1648.
5. Major-General Robert Montgomerie, 1650.
6. Sir Robert Montgomerie of Skelmorlie, 1665.
7. Sir Robert Montgomerie of Skelmorlie, 1715.
8. Sir Robert Montgomerie of Skelmorlie, 1720.

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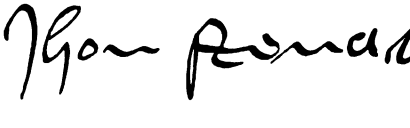

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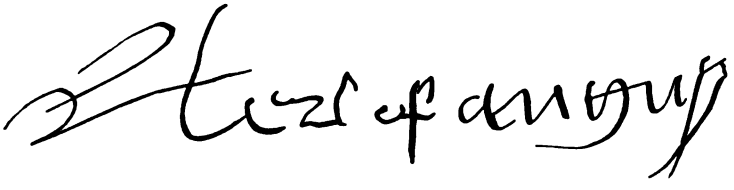

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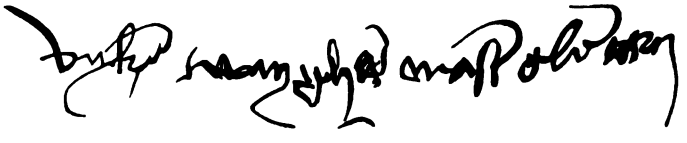

1. John, Earl of Lennox, 1477.
2. Alexander, first Lord Home, 1478.
3. Archibald, Earl of Angus, 1509.
4. Archibald, Earl of Argyle, 1509.
5. David, Earl of Cassillis, 1509.
6. William, Lord Borthuick, 1509.
7. Cuthbert, Earl of Glencairn, 1510.
8. William Cunninghame, his Son, 1510.

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1. Patrick, Earl of Bothwell, 1533.
2. Archibald, Earl of Angus, 1546.
3. Mathew, Earl of Lennox, 1565.
4. Archibald, Earl of Argyle, 1571.
5. John, Earl of Mar, 1571.
6. Gilbert, Earl of Cassillis, 1571.
7. James, Earl of Mortoun, 1571.
8. William, Earl of Glencairne, 1582.

1. Robert, Lord Boyd, 1571.
2. Patrick, Lord Drummond, 1585.
3. Ludovick, Duke of Lennox, 1598.
4. Alexander, first Earl of Linlithgow, 1612.
5. George, third Earl of Wintoun, 1612.
6. James Levingstoune, afterwards Earl of Callander, 1616.
7. John, Lord Fleming, 1617.
8. Robert, second Lord Melville, 1622.
9. The Viscount Falkland, 1627.
10. Walter, first Earl of Buccleuch, 1633.

1. James, Master of Ross, 1633.
2. Thomas, Viscount Wentworth, 1636.
3. James, third Marquis of Hamilton, 1638.
4. John, second Lord Balmerino, 1639.
5. John, sixth Earl of Cassillis, 1642.
6. Francis, second Earl of Buccleuch, 1643.
7. Robert, ninth Lord Ross, 1643.
8. Ferdinando, Lord Fairfax, 1644.
9. General David Leslie, 1645.
10. Alexander, first Earl of Leven, 1644
11. General Thomas Dalyell, 1648.
12. General Lambert, 1651.
13. General Monck, 1651.
14. The Earl of Linlithgow, 1651.

1. Archibald, Marquis of Argyll, 1650.
2. James, Duke of Buccleuch and Monmouth, 1679.
3. Alan Lord Cathcart, 1660.
4. William, first Earl of Kilmarnock, 1663.
5. James, Earl of Perth, Chancellor, 1685.
6. William, Duke of Hamilton, 1689.
7. George, first Earl of Melville, 1690.
8. James, fifth Earl of Galloway, 1729.

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1. Margaret, Lady Gordon, 1562.
2. Margaret, Lady Seton, Countess of Wintoun, 1612.
3. Grissall Ross, Lady Keir, 1612.
4. Eleanor, Countess of Linlithgow, 1612.
5. Margaret Hay, Countess of Dunfermline, 1613.
6. Lady Jane Drummond, afterwards Countess of Roxburgh, 1613.
7. Lady Isabella Seton, Countess of Perth, 1614.

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1. Lady Margaret Levingstoun, 1616.
2. Lady Isabella Setoun, Countess of Perth, 1617.
3. Anna Hay, Countess of Dunfermline, 1617.
4. Marion Boyd, Countess of Abercorn, 1620.
5. Elizabeth Ker, 1630.
6. Anna Cuninghame, Marchioness of Hamilton, 1633-4.
7. Elizabeth Seatoun, 1640.
8. Margaret Douglas, Marchioness of Argyle, 1651.

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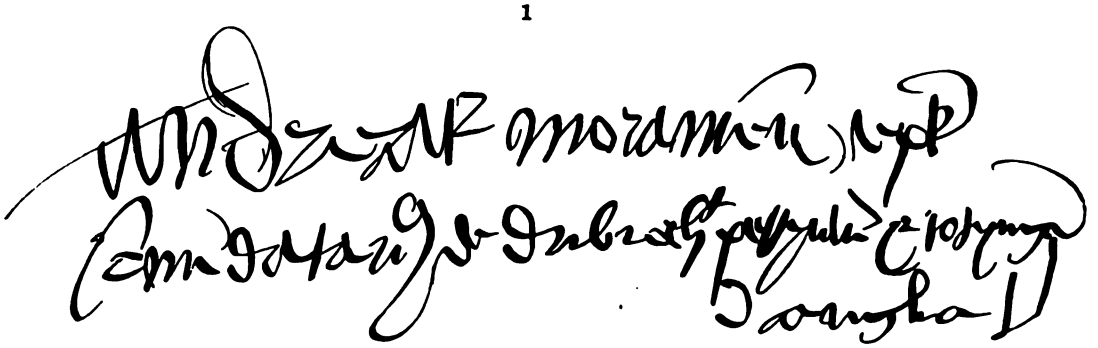

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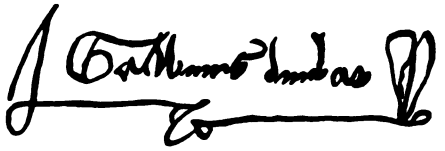

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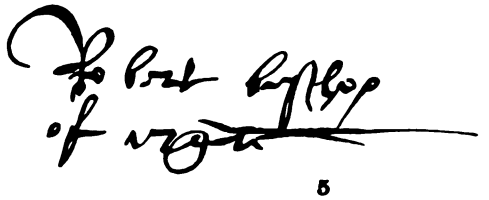

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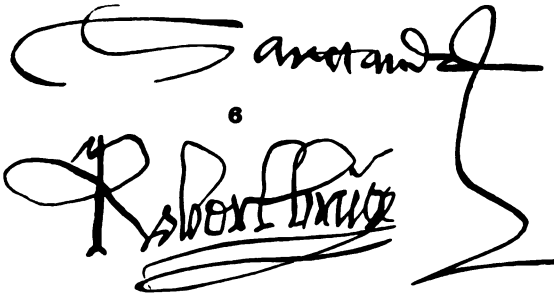

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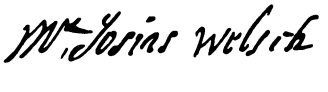

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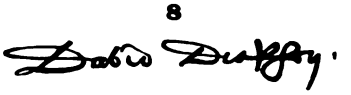

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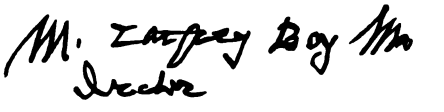

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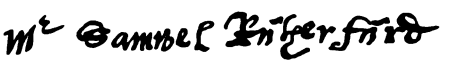

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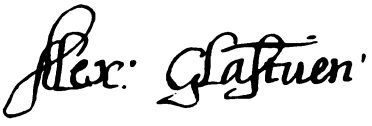

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2. Gawin Dunbar, 1509.
3. Robert (Montgomerie), Bishop of Argyle, 1530.
4. John Hamilton, Archbishop of St. Andrews, 1549.
5. John Hamilton, Archbishop of St. Andrews, 1562.
6. Robert Bruce, 1629.
7. Josias Welsh, 1632.
8. David Dickson, 1644.
9. Zachary Boyd, 1646.
10. James Sharp, 1647.
11. Samuel Rutherford, 1649.
12. Jeremy Taylor, 1663.
13. Alexander Burnet, 1664.

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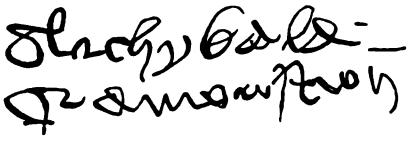

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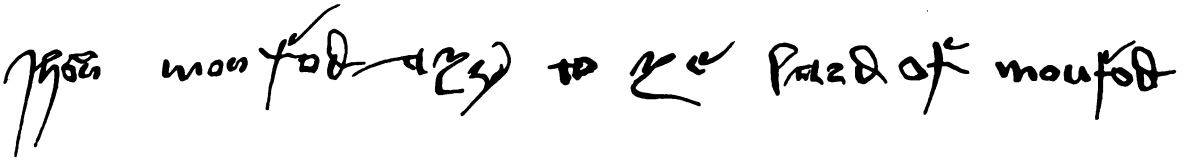

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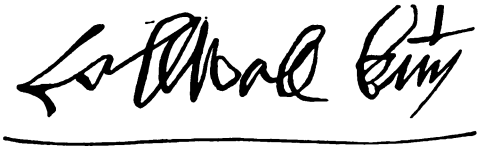

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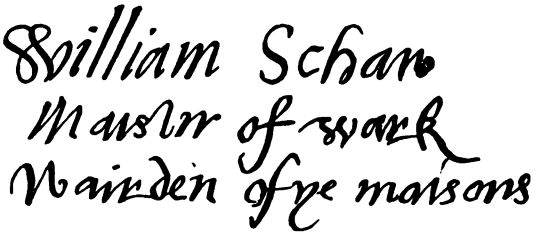

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1. Sir Archibald Edmonstone of Duntreith, 1498.
2. John Monfod, Younger of Monfod, 1513.
3. Sir John Mure of Callwall, 1569.
4. William Shaw, Master of Work, 1599.
5. Andrew Sempill of Burntshiels, 1611.
6. Sir Alexander Seton, afterwards sixth Earl of Eglinton, 1612.
7. Sir William Seton of Kylismure, 1613.
8. Sir George Mackenzie, Lord Advocate, 1688.

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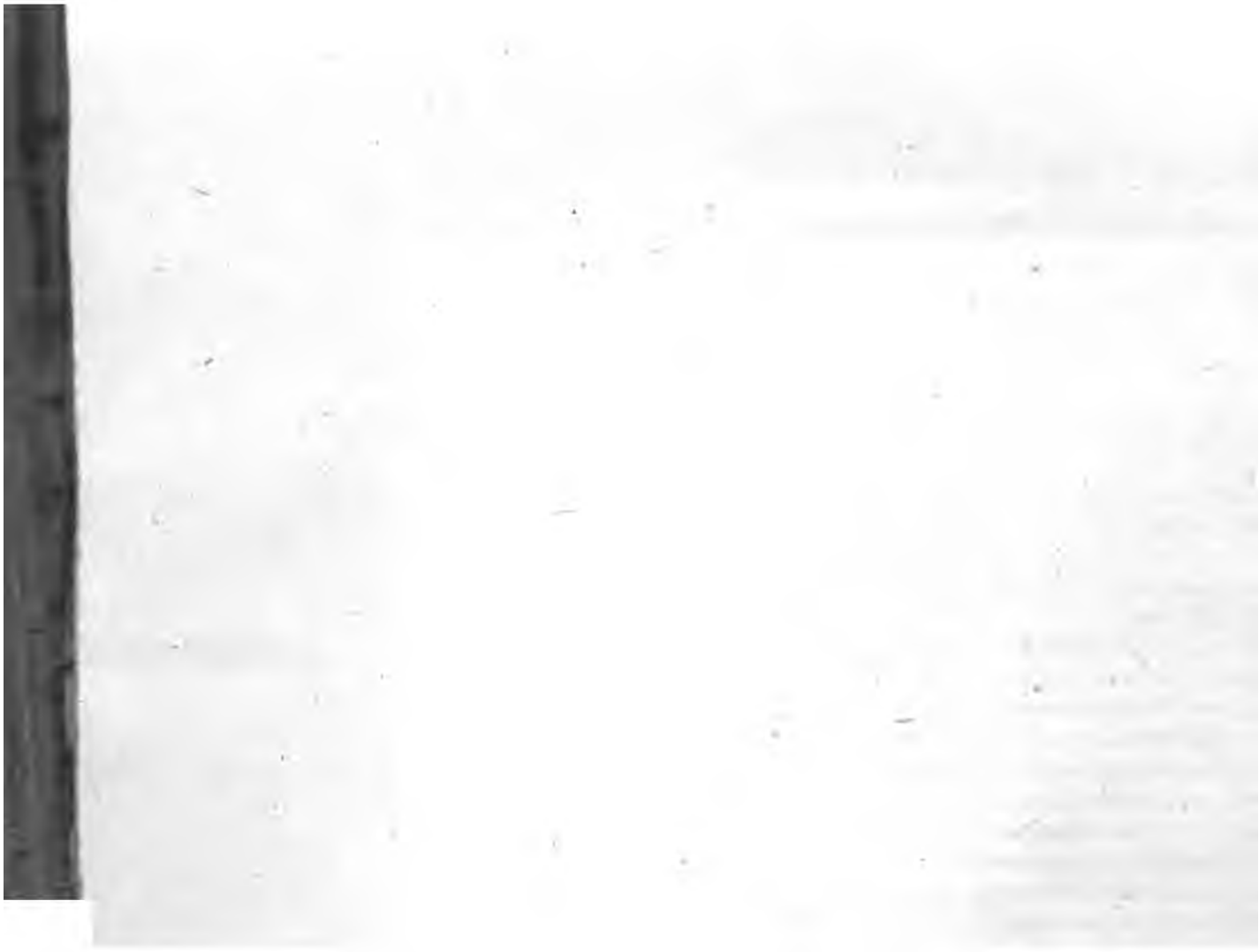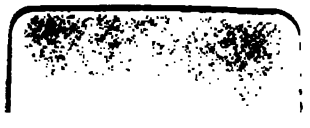
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